I, Anthony G. Arger, declare as follows:

[Declaration of Anthony G. Arger in Support of Reply to Motion]
1. I am counsel of record for Petitioner Soda Canyon Group (“SCG”).

2. Except as otherwise qualified below, I have personal knowledge of the facts set forth in this declaration, and if called today as a witness, I could and would testify competently as to such matters set forth herein.

3. Attached hereto as **Exhibit 1** is a true and correct copy of transcript excerpts from the September 25, 2018 meeting held by Respondents Napa County and the Napa County Board of Supervisors (collectively, “Respondent”) that specifically include the discussion regarding remote and rural wineries in Napa wherein Soda Canyon and the Mountain Peak Vineyard project (“Project”) are mentioned several times. A link to the full hearing is available on Respondent’s website here: http://napa.granicus.com/MediaPlayer.php?view_id=3&clip_id=4194

4. Attached hereto as **Exhibit 2** is a true and correct copy of transcript excerpts from the October 16, 2018 meeting held by Respondent that specifically include the continued discussion regarding remote and rural wineries in Napa wherein Soda Canyon and the Project are mentioned several times. A link to the full hearing is available on Respondent’s website here: http://napa.granicus.com/MediaPlayer.php?view_id=3&clip_id=4213

5. I, along with other members of my family, as well as Mr. Bill Hocker, met with Supervisor Dillon to discuss the Project on January 27, 2017 and again on April 15, 2017. At no time before, during or after these meetings did Supervisor Dillon indicate that she would not be in attendance at the Project appeal hearing before Respondent. In fact, her remarks during both meetings indicated that she would attend the appeal hearing in this matter, which is why SCG members were so surprised when they learned on the day of the appeal hearing – May 23, 2017 – that Supervisor Dillon was absent. Attached hereto as **Exhibit 3** is a true and correct copy of email correspondence between myself and Supervisor Dillon (and her assistant) regarding the meetings that took place in January and April of 2017. To date, I have never seen or otherwise been presented with any of the “public” documents purporting to announce Supervisor Dillon’s absence as Respondent contended were available on May 23, 2017. See AR 03429-03430.
6. Following the Atlas Fire, Dateline NBC did a special program on the 2017 Atlas Fire and interviewed several residents and property owners on Soda Canyon Road, including declarant Dr. Linda Savoie, regarding their experiences on the night the 2017 Atlas Fire erupted. The video, titled Dateline – Fire and Faith, is available for viewing here:


7. Attached hereto as Exhibit 4 is a true and correct copy of an article entitled California Rethinks Firefighting Tactics, Evacuation Routes for Future Wildfires published in the Wall Street Journal on November 30, 2018, by Erin Ailworth and Alejandro Lazo, which quotes the executive director of the California State Association of Counties as follows: “[t]here is a whole new focus. When you have wildfires moving 80 football fields per minute. . . it causes a full revaluation on how best to move forward.”

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 14th day of December, 2018 at Reno, Nevada.

[Signature]

Anthony G. Arger, Esq.
EXHIBIT “1”
NAPA COUNTY BOARD OF SUPERVISORS MEETING
COUNTY OF NAPA

RE: 10-B Director of Planning Building and Environmental Services requests direction
On the adoption of an ordinance regarding Remote wineries

__________________________________________________________________________

TRANSCRIPT OF PROCEEDINGS

September 25, 2018

SUNSHINE LITIGATION SERVICES
TRANSCRIBED FROM JAVS CD
Transcribed By: GAIL R. WILLSEY, CSR #359, CA CSR #9748
A P P E A R A N C E S

Chair Brad Wagenknecht
Supervisor Ryan Gregory
Supervisor Diane Dillon
Supervisor Pedroza
Supervisor Ramos
THE CHAIR: I'm calling to order the Napa County Board of Supervisors, Tuesday, September 25th meeting. Role call, please.

Vice Chair Gregory. Supervisor Dillon?

THE SPEAKER: Here.

Supervisor Pedroza?

THE SPEAKER: Yes.

Supervisor Ramos?

THE SPEAKER: Here.

Chair Wagenknecht?

THE SPEAKER: I'm here.

THE CHAIR: Please join me for the pledge of allegiance.

(Pledge of Allegiance.)

THE CHAIR: Okay. At this point, we're going to move on to 10-B: Director of Planning Building and Environmental Services requests direction on the adoption of an ordinance regarding remote wineries.

UNIDENTIFIED SPEAKER: Thank you, Mr. Chair.

I've asked Vince Smith, the Director of Planning
Division to join me this morning.

So I think it's -- what I want to do is tell kind of a brief narrative story in some ways. I think what and I'm kind of reframing what the information the staff report -- I won't bother to present that.

I think what we've seen over the past especially 10 years in particular is that as the valley floor has become either developed out, there are parcels -- there are 10-acre parcels that don't have wineries on them within the AP zone but there aren't many of them. The valley floor has more or less gotten very close to being developed out and has gotten very expensive to develop out. Prices especially in the Oakfield --inaudible -- area are $500,000 an acre now.

So as the wine industry has continued to grow in Napa County and as the valley has become either too expensive or unavailable, we've seen a lot of the more recent winery growth that's been occurring as far as new wineries, not expansion of existing wineries, but new wineries have increasingly been developed in the hillside areas particularly in the areas east and west of the valley.

As noted in the Staff Report, of the 500 or
so physical wineries that we have in the county, almost 60 percent now are located in the AW zone which also includes the Los Carneros area but generally are not located in the historical preserve. So it's 60 percent are now. The majority are not located in the area that's traditionally been associated with wine making in Napa County. So that's one trend, one development.

As these wineries have moved out into the hillside areas, we've seen more and more -- since they now represent a majority of the wineries in Napa County, we've also seen these wineries be located on the majority of what are essentially local roadways. Local roadways, under the general planning road classification, are two-lane streets. They're the lowest classification of street still allowed for businesses and homes, but they are the smallest unit of roads. So we're seeing more wineries not located on Silverado Trail, not located on Highway 29, not located on the major roadways within the county but on more of the minor roadways in the county, places like Sage Canyon or Soda Canyon or Dry Creek Road.

So it's second -- and while these wineries are not exceeding the level of service that's
referenced in the adopted general plan because they
don't trigger the threshold that the plan has adopted,
it's still a significant increase in traffic, from the
local resident's perspective. It's not significant
from a traffic congestion or management perspective
but it's a noticeable increase for the traffic that
was there ten years ago for the residents as the
wineries push out into the hillside areas many of
which have a number of homes in them.

Lastly, as wineries have pushed out into the
hillside areas, they are being located on properties
that may have -- may require more frequent variances
because of slopes and other site features and also may
not be as suitable or may not have much land that is
suitable for planting. So we're increasingly seeing
wineries that are -- may not have vineyards associated
with them that are just wineries by themselves with no
grapes on the site. Others still may have grapes
under ownership or control elsewhere in the county or
they may not. That's not a requirement. The
requirement is that they have 75 percent of the source
grapes within Napa, not that they actually own or
control those grapes directly. However, most of these
wineries are also fairly small as noted in the Staff
Report. The wineries in the hillside areas are generally about half the size in terms of production of the wineries in the AP zone and have maybe a 25 percent of the visitation rates as the wineries in those areas.

So we're seeing a proliferation of small wineries into the hillsides on local roadways and in some cases, that don't have any vineyards attached to them. So that has created some questions about whether this type of winery development is appropriate and if so, how it should be regulated or changed in the future. Those questions have been manifested in several of the appeals that have come to the board in the last year or two, most notably Mountain Peak and Casas of the Canyon but also the Dry Creek appeal which was drawn before the board had a chance to hear that. Several of these questions arose on all three of those projects and there are others currently that are coming before the Planning Commission that have similar issues as well.

The 2010 memo that referenced the word "remote winery" did not include any context or definition for what a remote winery -- what constitutes a remote winery and so for staff for the
applicants for the public of the Planning Commission, we're recommending that the Board provide some direction to staff, should they decide that action needs to be taken with regards to this trend in winery development. That if the Board so wishes, that they direct staff to prepare an ordinance that the Board intends any regulations or requirements that they wish to place on these types of developments to apply uniformly for all future they -- forward going modifications in new wineries and that we provide general direction. We're not looking for -- my request would be that the Board not provide necessarily detailed information because that will come about through the public process, through staff meetings with stakeholders both the industry and the public, through environmental review of the project, through Planning Commission hearings. And the Board, at the end of this process, would have a chance not only to weigh in throughout that process but also when and future ordinance would come back before it for final adoption but we need a starting place.

So I'm just not looking for 80 percent engineered drawings, I'm just looking for a starting place from the Board as to what -- is there a concern
if so what are the concerns and any suggestion about how staff may want to go forward in addressing those concerns.

THE CHAIR: I've never turned in 80 percent drawings yet. Good. Thank you for the introductions, are there questions from the Board at this moment? Supervisor Gregory?

SUPERVISOR GREGORY: It might be important for me to mention how this started with me, and I think we're all looking at it from different lenses but we had a recent application that was denied by our Planning Commission. It came to us on appeal but it was pulled last minute before we could act on it. But there wasn't a lot of love for that project, it had zero agriculture, it had zero --

So that's where I'm coming from, that was a problem. I don't think that project should have been submitted and I know we had a Planning Commission struggling with that, using that as a base for their decision but they didn't have a policy backup. So for me, that's why I'm here but I do -- and I've got some other questions that maybe after public comment but I'm really interested in hearing from the public on this.
THE CHAIR: Okay.

I don't see any other questions right now from the Board. I will open it up to the public at this point. I will mention that we have gotten quite a bit of correspondence on this and that comes into our thinking and so.

Now, public what are you thinking about this?

THE SPEAKER: Good morning Supervisors, Michelle Novi with the Napa Valley Vintners.

I don't have any comments about the substance of what Mr. Morrison said but rather a comment about the procedure.

As many of you know, in order for the NVV to take an official position on any issue, it usually has to go in front of our Community and Issues Committee. From there, they make a recommendation and then that goes to our board. Our CIIC committee meets the first Thursday of every month and then the NVV board meets the following Thursday. We only found out about this proposal being heard here about 10 days ago and so unfortunately, we can't offer any feedback and we would very much like to do that.

My recommendation would be that Director Morrison and perhaps one of the members of the Board
of Supervisors joins our upcoming CIIC meeting on the first Thursday of October. I think that's the 4th or 6th to discuss the issue and let the committee provide some substantial feedback.

On another note aside from this discussion and I appreciate just how much is on the Planning Department's plate but in a community like ours that is solely focused -- not solely but largely focused on agriculture, to be having discussions around these types of policies right in the middle of harvest is very challenging. I'm sure it's challenge for the Planning Department to contemplate not bringing these types of policies for a whole three months out of the year. Of course, the fire has affected our timelines as well but in order for groups like the Vintners and the grape growers and the Farm Bureau and the wine growers to meet with our members and provide meaningful and thoughtful comments that will help make policies more effective, it's really important that we discuss this when it's not in the busiest time of year. So thank you.

THE CHAIR: Thank you.

Yeah, I think as Supervisor Gregory said, a lot of this came to us kind of in the back door by --
we would have had a project that a lot of us had questions about and we might have been able to answer some of that that way. So we're just in the start of this process and I'm sure we'll have somebody come and visit and talk this through with the Vintners and other groups.

THE SPEAKER: Good morning Supervisors, Kelly Anderson. I'll be speaking on behalf of Saveral Angwin this morning. And I really appreciate this effort to discuss appropriate locations for rural wineries.

Saveral Angwin, as you know, is a volunteer grass roots organization, and we're dedicated to protecting and preserving the rural setting and community character of Angwin. We have participated in the Napa County general plan update arena APAC. We have been there.

One thing that I think is important for all of the areas of Napa County not just -- well, I'll talk about this specifically. In the agriculture preservation and land use element of the general plan, Ag Use Land 57 says, "The county shall seek to maintain Angwin's rural setting and character while providing opportunities for limited commercial
services focused on the Angwin community."

At this time, the Howe Mountain Vintners and Growers show 15 wineries located in Angwin with tasting rooms. I venture to guess there are more opportunities to taste in Angwin than 15. We, in Angwin, do not consider tasting rooms a local serving business. We are concerned about impacts to our neighborhoods and the safety of our families when we are reaching out into these roadways that people basically live on.

One example I'd like to give to the road bike people here is Ink Grade Road. We've all ridden up that road and you know the character of it, yet it is probably the number one large tour bus destination end point I'll call it Angwin. So we're putting Humvee size limos down Ink Grade Road at night for different winery-related events and as we learned at some recent fire-wise meetings, the proposed escape route, should we have a fire in Angwin, is down a gravel road off of Las Posadas down to the 4-H camp. So we're really confronted with an isolated mountain top and how many more visitors can we handle up there. We're of course concerned about the impacts to groundwater and waste water disposal. I'm welcoming more discussion about
this obviously.

I do have some questions. In the Staff Report, it mentioned the issue of sustainability and estate-grown fruit and I'm wondering and this is a question. I don't know the answer, Napa County is an Appalachian. So is an AVA Napa County. So if you're growing fruit in the Los Carneros and you're bringing it up to Mount Veeder, is that considered estate grown.

So we are kind of talking about estate grown being sustainable, and I have a question about what that means. So basically Saveral Angwin really appreciates this opportunity to participate and we seek to protect our residence and our neighborhood. Thank you.

THE COURT: Thank you. Further public comment?

THE SPEAKER: Good morning. My name is Chris Malin. I now live at 2945 Atlas Peak Road.

THE CHAIR: Congratulations.

THE SPEAKER: Okay. Where we built our home 40 years ago and lost it in the fire but we're up there temporarily in housing, so that's great. But with that experience, I have a little story for you.
Three times on Atlas Peak Road, I've been totally blocked from getting off the mountain from 16-wheelers, 18 wheelers, if you can believe that, jackknifed on Atlas Peak Road telling me that they're making deliveries to vineyards, wineries, whatever. The last time it happened was 2018. I actually had to go home and get our tractor and help guys that showed up straighten it out because the Highway Patrol could not get around the corner to pull the truck out of the ditch jackknifed across Atlas Peak Road. It took us half the day to get it straightened out. Then the Highway Patrol did cite him because we straightened him out twice, and he decided he could go back up, so he jackknifed again. So the Highway Patrol took a long time to get there and when he got there, he did cite him.

Another time a tour bus came up there, who knows why, got lost but got jackknifed. Another time another truck got jackknifed but all three times, we couldn't get off the hill for six to eight hours, so a major problem. The truck traffic cannot negotiate those steep mountain turns. It also happened to me on Spring Mountain Road. About 10 years ago, a truck jackknifed and we had to go a whole other route and it
was closed all day.

The other thing on the wineries is they should dispose of their wastewater on-site. Palmos does that, I've seen their operation, it's pretty nifty. They use the wastewater on-site. So that should be a given. No hold and haul. There should be no hold and haul of wastewater off of wineries to East Bay Mud, that just shouldn't be happening. Then especially in the MST wherein groundwater depletion.

This ordinance, if it does come to be, needs to coincide with the fact that we have groundwater depletion in the MST. There should be a thorough analysis on how long large these wineries are, how many gallons they're going to be producing because we all know that they pump groundwater to make wine.

THE CHAIR: Thank you.

THE SPEAKER: Thank you.

THE CHAIR: Good morning.

THE SPEAKER: Good morning.

My name is Herman Frobe. I'm a resident of Dear Park. I've spent over half my life in the wine industry working in small rural wineries. I was impressed by Mr. Morrison's introduction regarding traffic load, winery location, et cetera.
I've owned my own label. At that time, I ran it out of my house and I made my wine at a large facility. I was allowed to store the finished product in a commercial warehouse. The only activity I was allowed to do out of my home was make phone calls, sales, business, paper, et cetera.

The advent of the Napa Valley wine auction, of course, led to the appreciation of Napa Valley as a destination, and we have seen the growth of these vanity labels. That's what we call it in production. These small operations, you know, small again you're going to have to define that but let's say 600, 1000 case operations versus 5000 versus 10 versus 30 versus 50. I'm not sure where you guys draw the line but small operations, it's the nature of the beast. They tend to want to become big operations. Then, you know, the traffic increases. Everything increases in dimensions.

You're all quite aware that we, as residents of Napa Valley, are already putting up with a lot. I mean, you know we hear fans. We hear refrigeration. We hear all this stuff. And okay, it's part of producing wine, right. It's production. Well, I'm next door to the Bremmers. You may remember my
comments and for all of us, these sort of small rural
wineries with big aspirations have become a nightmare.
Our roads flood now. We have traffic, we have
accidents. The constant noise of construction and
land use, bam, bam, bam, bam, bam, beep, beep,
beep, beep. The impact on us as residents are huge.

You know, I don't have a problem with a
farmer producing his wine on his property but when
these operations become bocce ball courts and wedding
venues and concert things, you know, they look at the
Mandavi's and wonder how come they have a concert and
we can't. Well, they don't know it's been
grandfathered. There's a lot of pressure and we, as
residents, are indeed suffering. So that's what I
have to say.

THE CHAIR: Thank you, Mr. Frobe.

THE WITNESS: Hi. Bernadette Brooks, 3103
Dry Creek Road in Napa.

I want to say at a general level also, that
this is a difficult time and short notice for all of
us to participate in this. But my concern is that as
we press into the hills and remote areas and truly
local small roads, everything needs a variance, a road
exception, this, that or the other thing. Then we're
being told by the Planning Commission well, you know, it would be even worse if we didn't give them this variance and exception because they would have to tear down more trees or they would have to affect more erosion.

What I say is no. If are rules are there for variance and exceptions, they should be really, really rare and instead once again, they are becoming the normal. We had this issue come up once before with APAC but now because of where these things are trying to be put, they almost can't be put on their sites without these things. The mitigations that are put in place for all of the different reasons why they don't fit well are becoming a nightmare for the Planning Commission's compliance.

You know, there's mitigations like saying well, we're going to put up walls. So if you have a 300 person event, the sound decimal level in the hills won't bother your neighbor. Well, you know, who's going to be able to go there and even know they're going to do that necessarily. I know there's permits for special events but there's mitigations like that over and over and over again.

We're even hearing mitigations on what we
think is the key mitigation of groundwater extraction and measuring and then we have neighbors in our area who have asked for those reports that are mandated by the mitigations. They cannot get them for the last two years. They have no way of knowing that their next door neighbor who they believe is impacting their groundwater domestic needs, they can't get the reports that were part of the mitigation of their approval.

So the mitigations, the variances, the exceptions are getting out of control because where we're trying to fit kind of a 10-pound bag of potatoes in a 5-pound sack Thank you.

THE CHAIR: Thank you, Bernadette.

THE SPEAKER: George -- inaudible.

THE COURT: Good morning.

THE SPEAKER: Good morning.

This is a big issue, it involves devastation, access, fire, traffic. As was the issue of annexation that we talked about before, they all have the potential of impacting the future of Napa Valley. Rightly so, you're placing a lot of resources, administrative resources on the strategic plan and hopefully by December 15th, I don't know how you're going that do it, but at least you may come up with
some suggestions about the future of Napa Valley.

So my suggestion is that you delay decisions like the one we were talking about before, annexation, which really at times could be a circumvention of major -- inaudible -- and this one. So this is my suggestion. Thank you.

THE CHAIR: Further public comment at this point?

THE SPEAKER: Good morning to the Board. It's Gary Morgan from up on Mount Veeder Road.

I live very close to one of the wineries you were speaking about that was turned down because it didn't have any vineyards on it. Also, the thing is that that particular project had wanted a variance because it was steep which the Planning Commission looked at and said you must be crazy. The whole place on Mount Veeder is steep so why would you get a variance for that sort of thing?

These are some of the problems that we are having with the wineries coming up into the hills because we don't know what your objectives are. We really don't know how you see it and how you are going to manage it and neither does the Planning Commission. What we would like is really some guidance and some
leadership from you on this issue. I think that that
would be most appropriate because we're really tired
of the ad hoc basis as to how it's been decided in the
past, you know, it doesn't make good planning
decisions about what this is which is essentially what
we're talking about. We think that this is a zoning
issue about what you're going to do in the mountains
and what you're going to do in the agriculture water
shed.

So you've heard other people talk about it
already. You heard Chris Malin mention about the
risks. You know, these roads aren't places where you
can have an easy detour around stuff. So there are
major risks for you and for Mr. Letterer who is now in
the audience, and we would like to see that, you know,
we are considered. You know, is it a bigger benefit
for the community in that area?

You mentioned Saboral Angwin and Kelly
Anderson spoke about it here. What does this do for
the community up there. If it's only dealing with --
because somebody wants to put a -- I call it a 7-11
winery, that's what we were going to have near us
because it wasn't going to have any vineyard on it, it
was just going to be a store front. This guy wanted
to just flip it.

So we're concerned about, you know, the future. We want to know what your view -- what your suggestions are for a uniform future for us to decide about what's going on in our neighborhood. We really, really do need that leadership from you. I think the strategic plan, as other people have mentioned, you know George mentioned that we -- we're looking for something. We're looking for something in there. We have the ability to come to speak to you about it but the proof is going to be in the pudding in December as to what you really want to do.

So please, step up, we would really enjoy it.

THE CHAIR: Thank you. We don't need -- wait come on up. I'm just -- let's keep the discussion moving.

THE SPEAKER: My name is Roxanne Hogan and I live on Fresian Drive in Angwin. There is a proposed winery on that road at this moment in front of the Planning Commission. We've lived there for 27 years. When we moved there, there were maybe three or four full-time residents. There were no wineries. There's some vineyards but there weren't any wineries. We let one winery go in with the stipulation that there would
be one visit a day, that kind of thing. Now there's many visits a day and of course events.

With this new one that's coming in, Fresian Drive is a very narrow -- I don't know if you've all been on but it's have narrow. There's a cliff that goes off. One car, so someone always has to back up. The problem with it is if we have a jackknife situation like the woman suggested or said that she had on her road, it's our only way out, in and out for our residence to get out. We have families with small children. We've had three dogs hit by cars as we were on the road because they go too fast. I put one of those little yellow men out a couple of months ago, and there isn't a day that goes by where he doesn't get run over. There's plenty of room to go around, if you're a car or a truck, even the grape trucks but they just go too fast. It is so narrow.

Where this winery is planning to go is another road that goes up and it's even worse. You would have to see it. I mean, they could go down this cliff and the two residents up there would have no way out if a truck blocked them. They also planning on bringing in grapes because their vineyard isn't big enough for what they want to produce. They also have
their own winery elsewhere. So we don't understand
why it's necessary that they build a winery.

Everyone has talked about the technical
stuff. The groundwater, we have those wonderful lakes
that the Fresian family had the foresight to, you
know, use for the community. There's already been
problems in the lakes from the residue or whatever. I
don't know all the technical stuff, but what I do know
is quality of life. It's a private road, private and
when we moved there, we assumed that meant things like
this wouldn't occur. Unfortunately, they are
occurring and I hope that maybe you'll see fit to do
something about it. Thank you.

THE CHAIR: Thank you. Any other comments?

THE SPEAKER: Good morning, Michelle Benvito,
Wine Growers of Napa County. As Michelle Novi said
with the Napa Valley Vintners, this is really
difficult to respond to an issue that you gave a Staff
Report on Thursday and you have no time to meet with
your members and discuss this, and this issue is
complicated. I mean, how are we defining rural
wineries.

Remoteness and access are very different.
For example, in Hope Valley, you might have a winery,
it might be considered ruler but access may not be an issue. Also each application should be reviewed on a case by case basis taking into account the parameters of each site. We have examples of this already that have been mentioned, the Mount Veeder Winery, the Mountain Peak like already these are being looked at on a case by case basis, and different restrictions are being put on those.

There's also seems to be a misunderstanding about the intent of grape sourcing. The 75 percent grape sourcing is tied to maintaining the Ag Preserves legality and ability to not negate the commerce clause. Aside of all that, this is an issue that has a big impact on the wine community.

So as I mentioned earlier, I mean Director Morrison mentioned stakeholder meetings going forward but this seems backwards. Shouldn't we have already been having stakeholder meetings. To review the intended and unintended consequences of whatever is being discussed today.

I also wanted to correct a couple of things that have been said earlier for when groundwater depletion and MST. I mean as you guys have seen since you have added additional restrictions, that has
stabilized so the MST has stabilized. Also, this idea that everything needs a variance and is becoming the norm is inaccurate. Aside from the fact that wine growers and the wine industry in general has said we should not be granting variances willy-nilly, that there should be a very strict reason to grant a variance.

So maybe we could have Director Morrison talk about the issue of variance. I know that's been looked at in the past on how many is being granted and it's not every single application is needing a variance. So thank you very much.

THE CHAIR: Thank you. Thank you Michelle. Further comments?

THE SPEAKER: Julie Ironoski, I live in Alta Heights.

I guess I want to invite and request really a deeper consideration of what the word "sustainability" means. In one of the reports, there was a comment tying sustainability to a estate production, and I think we need a fuller and more holistic, a more realistic discussion of what sustainability means. I don't see that happening in a lot of the planning discussions in Napa County.
Other people have spoken about the issues regarding water, traffic, increase of fire danger because people are moving more out into remote areas, access during emergencies, being able to leave your home in an emergency, but I just want to bring up two other questions that are really significant in my mind.

One is sustainability in terms of community support. I think everybody wants to continue support of agriculture in Napa County, but the more people are affected in ways that they can't control where they feel like they don't have a voice in the process and where they feel frankly sometimes bullied by the industry, that's really going to eat into community support for agriculture, for the Ag Preserve, and I think that's something that we should really think about because I think we want more people invested in protecting agriculture, true agriculture but that's limited by things like the bocce courts and the restaurants out in the AW and the parties that go on all night and other things that are disturbing and I want to get to the last thing.

Sustainability, there's nothing sustainable that doesn't have a limit. I think we really struggle
with the idea of limiting the wine industry in Napa County because we do see all the benefits that we get from it but there's nothing good without a limit. There's nothing sustainable without limits.

To the point of limits, I think we really have to look at the whole idea of the negative declarations that are being used. There's a winery that's going from 30,000 gallons to 100,000 gallons, that's going from, I don't know a five time increase of visitors. I don't have the statistics right at the front of my brain. This is proposed under a negative declaration. People look at this and they say how is this not going to have an impact in any one of the ways that has been brought forward today. Thank you.

THE CHAIR: Thank you, Julia.

Any further comments? We have two speaker platforms so one can be at the other one ready to go.

THE SPEAKER: David Heightsman up at Circle Oaks, President and -- inaudible -- Napa Watersheds.

A couple of issues I haven't really heard addressed specifically and one was that if you put a development if these are a development, let's call it like what it is, you're going to incur further development. You put a winery at the end of the road
where there aren't enough grapes to support it, you're going to encourage vineyards to go in there because it would be more sustainable. You're not going to have to be trucking them further. You're going to hear the sustainability argument and there's validity to it.

Any time you're going to put these wineries, you're going to get further development into the hillsides and that should be a concern and part of the plan because it's going to happen. I realize you don't have to do that and under Sequa you don't have to do that but you know it's going to happen. You see it happening throughout here. Okay, that was the first point. What was the further development going to be on and all the other problems that everyone has been bringing up.

The other one was an emergency plan. You're putting further impact to these communities. There should be an emergency plan. Okay. We saw the fires and we've addressed that. I've fought fires for three years, rangeland fires and specifically, didn't move up to Soda Canyon or Atlas Peak because of them and you saw the results. It's a chimney up through there. There's other places throughout the county including Circle Oakes incidentally, not as bad but
it's still there.

Could we come up with an emergency plan. One of my major concerns now is during earthquakes now that we know we're in an active seismic zone, the biggest danger for life in earthquakes isn't falling buildings, it's fires, alright. Can we have an emergency plan. If we have a fire and fires take off and there's a pretty damn good chance it can, your resources are going to be concentrated down in the city and rightly so. We're going to be left to our own resources up there.

There should be an emergency plan of how the hell people can get out another way because you're going to be left on your own or if the fire takes off like what we saw, you're on your own until people can muster and you can get emergency responders up there and it's -- and that's difficult to do to coordinate emergency response like what we saw in the fires that we had, it's tough and it takes 24 to 48 hours before things are actually coordinated.

Could we have an emergency plan before anything else comes up there so we know where people can go whether it's grading a road out of there.

Maybe people up in Atlas Peak there is the
right-of-way exists to take it down on the other side of the hill, some things like that. Let's think about the people that live here. Thank you.

THE CHAIR: Thank you, David.

THE SPEAKER: He said a lot of what I was actually just going to say. I'm Rebecca Dice. I live on Fresian Drive and of course, I'm looking at the Red Leg Ranch Winery application with great interest since it's several hundred feet from my bedroom window.

You know, we don't -- this as an agriculture area. We're excited about agriculture, to some extent, and it's important to the area but looking at the staff notes here, it's saying if we make some ordinances or, you know, kind of beef up the ordinances and define it, we might deny some applications and you know what, that may be entirely appropriate.

They're asking for a 30,000 gallon winery on a single-lane road, it's a private road. The county is never going to maintain that road, it will be up to the citizens. Historically, the wineries have not lived up to their agreements to maintain those roads. So as a resident on the road, I'm very concerned about my ability to get out with my children if there's a
fire. I'm very concerned about the groundwater, and I'm really concerned about the lakes. Fresian Lakes is the town water supply. If that project is approved, I feel like the water supply there for the entire town is at risk. So if we're limiting development in these areas especially on private roads, that may be appropriate. I don't think that we should be afraid to do that. Thank you.

THE CHAIR: Thank you.

We've had 12 speakers so far, how many more are we looking at? Okay, two. Why don't you come and be ready and then perfect.

THE SPEAKER: Cynthia Greu, Soda Canyon Road. Heads up, cell phones down. Thank you.

Last summer I spoke to you all about the fire potential on Soda Canyon Atlas Peak area, the fact that this has historically burned and it did again and the fire last October, the Atlas fire, well, I thought that the '81 fire, the Atlas Peak fire was the worst fire imaginable, it wasn't even close to last October.

You have approved three wineries on Soda Canyon Road in the last few years, two of them with no grapes at all with the idea or the argument that they would be getting grapes from Stagecoach where they
would be saving the trips down the road. There would be less movement of grapes up and down the road because of course they had a contract or a contracts and now those contracts are probably very much up in the air since Stagecoach has been bought by Gallo.

The wineries -- if you allow wineries in the AW in these remote areas and I don't think you should, there should no visitation. No visitation at all and they should only be allowed to use estate grapes.

One of the things Director Morrison said is that wineries in the AW tend to be smaller. Well, maybe initially but then they come back for their modification as we saw with Revery also on Soda Canyon, the caves of Soda Canyon. They violated their permit, but they were forgiven and given an increase.

So on Soda Canyon in the fire, let me just point out that if there had been an event at the -- as has been permitted, it hasn't -- it's still under litigation but Mountain Peak, if they were permitted and enjoying an event on that Sunday night of 150 or 300 people and the event was getting out about 10:00 when the fire started, they wouldn't have gotten out of there. Where would they have gone? Well, there were helicopter pilots that risked their lives getting
residents out of there. I mean, some of us -- I live four miles up the road and barely got out of there and a number of us were stuck behind a fallen tree. You can't increase that risk.

THE CHAIR: Thank you, Cynthia.

THE SPEAKER: My name is Keith Glance, I live at 390 Cold Springs Road in Angwin. I have lived there for 32 years.

I first came to Angwin in 1968 with my parents and attended Pacific Union Prep, Pacific Union College and have lived pretty much in Angwin ever since. I'm very well familiar with Cold Springs Road. When I was in college, we used to walk it, it was a gravel road, it became paved but with no base preparation.

A lot of the discussion this morning has -- I believe was supposed to be aimed towards defining "remote." My home is remote but yet I'm five minutes from the high school. I'm five minutes from the college. I'm five minutes from daycare. I'm five minutes from an Ace Hardware, a supermarket and a gas station. So how do you define "remote."

My immediate neighbors on my left, right and across the street combined have eight children who
ride their bikes on Cold Springs Road. My children used to ride their bikes back and forth to school. I'm very happy that they are grown and out of Angwin right now. To put a winery as is being sought at the end of Cold Springs Road bringing 18 wheelers and tankers, grape trucks, flatbeds with valley bins on them, just scares me to death when I think about the kids. It's bad enough with just us neighbors there. When we greet each other on the road, you put your two right wheels in the ditch and you very carefully pass each other. The winery workers do not do that. The winery vehicles do not do that. They have a mission, they have a job and they're trying to get it done.

My fear is that if we define "remote," that we create policy and if you create policy, then when somebody comes to you and says can we do this, you could say no, it's not in the policy or yes, it's in the policy. You don't have to think about it. You've got this wall of paperwork and words, it's our policy. You don't have to think about it.

Every one of these applications needs to be considered. Very little has been said about everyday safety. We've talked about fire safety. We've talked about disaster safety. My children, the children
across the street, like I said, it terrifies me to think of them under the wheels of an 18 wheeler. If that winery is allowed, it probably is going to happen some day. So the quality of life and the safety need to be considered. I appreciate your efforts here today. Thank you.

THE CHAIR: Thank you, Keith. At this point, I'm going to return us back to the Board. You've heard from 14 folks having different things to say about this. I think they've helped us set parameters around this discussion or at least opened up some of the issues that we are talking about. This is meant to be a -- not -- this is not going to be anywhere near a finished product today. It's meant to be a start of this product.

So I see Supervisor Pedroza.

SUPERVISOR PEDROZA: Thank you, Chair. There's a lot of good comments heard. You know, it's not often Gary and I agree on a lot but I will say Gary, I think you're right. We do have to show leadership. I think this is a critical point to talk about the future and the vision of Napa and a very singular issue.

For me, I'll kind of kick it off as
Supervisor Gregory said, you know, my district it’s Atlas Peak Road, it’s Soda Canyon. So I hear from my constituents about the challenges and concerns they have about wineries up rural network roads. I want to be consistent. I want to make sure that our Ag Community has a predictable, dependable process but also our residents know what the expectations are.

I think at this point, one of the concerns I see that really resonates, at least in my district, there’s a lot to be discussed in the details but it’s looking at the appropriateness of wineries that are going up these rural roads with no vineyards on-site, defacto custom crush facilities. I think there are better areas that are suited for this type of production. Look at Corporate Park, I think that’s very appropriate.

So having said that, I think we do need to have a community discussion around this. There’s an outreach component that will happen but a lot of this needs to happen with the five of us talking about our vision, talking about policy statements. Then we provide direction to the Planning Commission as well and I want the industries to provide comment. I understand it’s a difficult time, but we’re going
through a difficult time as a community, and we can't keep waiting to have some of these discussions.

So I hope that as we're going through this discussion, we're listening to the input of everyone but again, the problem I see and the problem I want to address is those wineries that are going up in rural areas that have no vineyards on-site. I do not think that's an appropriate use. I want to keep an open mind if there's a different way to address that. That may not be an estate component. I'm definitely open to that but I think we do need to start defining some of our tolerances, our vision and what the vision is for Napa and our community. I think this is a great starting point for me.

So those are some of my interests as we go forward.

THE CHAIR: Thank you.

Supervisor Gregory?

SUPERVISOR GREGORY: I'll start with a question either for C E O Tran or Director Morrison.

It was brought up that we're in the middle of a strategic plan, how does this fit. I think the reason -- well, first the strategic plan will be a broad document setting our priorities for the next
three years, it would very likely say do this, this	hing we're doing so why wait. We're responding to a
real topical issue of a project that withdrew itself
and who knows what they're thinking. We need to do
this sooner rather than later. How does moving this
forward fit with our strategic plan, have you thought
about that?

MR. TRAN: Yes, we have. In terms of the
strategic planning, that is not to be mistaken to be
-- inaudible -- amendment of zoning and things like
that. So the strategic plan is intended to be all
things inclusive. The County does many things
including land use. So there is a distinction.

Obviously, this Board always has and can
exercise its discretion in terms of giving forward any
item. This -- inaudible -- is strategic -- inaudible
-- land use, however, there's really no need to have
to wait for that process because as you know, that
process will take until December to finish.

So it's certainly up to the Board. Giving
direction and I think that what Director Morrison is
suggesting or proposing is getting direction from the
Board going back because any type of planned use
ordinance typically would have to go through the
Planning Commission and that by itself is a process that would involve public hearing opportunities. There will be time for notice. There will be time for stakeholder for input and things like that but having some general direction from the Board would be a tremendous help to get this started.

DIRECTOR MORRISON: I would agree with Mr. Tran. I would in most cases anyway but just this morning, the Board talked about annexation policy and in recent meeting, we talked about developing customs and standards on bird cannons. I'll be coming to the Board next month on the residential development and -- inaudible -- sheds. The circulation element is going forward. The climate action is going forward. There's a number of processes that are going parallel to the strategic plan. The strategic plan, in my view, is intended to be a -- is intended to encompass every single thing the County is doing with 1400 employees that would be impossible, it's really to prioritize what we're doing.

So I think it's is the Board's prerogative if they feel it's imperative that issues relating to remote wineries be addressed sooner, then I think the Board can give that direction to staff and we can
proceed without affecting the strategic plan. That's really up to the board how urgent -- if there's an issue and how urgent that issue may be.

THE CHAIR: I have to imagine also that if we were talking about this and there was -- in the community groups in the community meetings we were having, there was a strong push back against us looking at this, that we would hear that in the strategic plan and I don't think that's what we've heard in our discussions so far.

SUPERVISOR GREGORY: Maybe just some comments. I'll hopefully give you some direction to work with but again, I want also to get direction from the community and district partners.

So in going back to this project we keep talking about, you know, it was a -- I agree there are places for custom crush in certain areas of Napa County but to have a commercial building out in the middle of the Ag Watershed Zone up a rural road with zero agriculture I think would be the poster child for years to come of losing our connection to agriculture. So we've got to fix that.

Again, that's why we're moving this faster than anything else and the strategic plan. What's the
number. We know that to be AVA label, you have to be 85 percent. There's these numbers out there, but I don't know what number is. That is getting into the business of making wine, and I'm not an expert so we'll need to hear more on that.

Where should the supply and really how do you define remote? Is this all of Ag Watershed are is it those properties along certain roads. I think we need to figure that out and really look at different scenarios.

I agree there should be some connection from visitation to a remoteness discussion and again, I'm not sure what that is but we need to define it. Last, I've heard a lot about carrying capacity in recent conversations. One real way to address carrying capacity is do you have land, do you have enough room for a septic system. That's the most physical manifestation of carrying capacity I can think of.

So that said, we're solving one specific thing that's come up recently but this is certainly a much bigger issue, and I look forward to digging more into it with our partners out there, all of you.

THE CHAIR: You're done?

SUPERVISOR GREGORY: Yes.
THE CHAIR: Supervisor Ramos?

SUPERVISOR RAMOS: Thank you, Chair.

I'm having thoughts and thinking oh, I think I said this before and I said much of this when we kicked off our strategic planning journey. One of the things that I had said that I think there's consideration and this is in fact doing that is the differences between the AP and AW.

I mentioned back in July that I think one of the things, as we venture down looking at our future and the way in which we carry out the general plan, is that we need to live within our means. So when I think about remoteness and what that means, I think remoteness is perhaps a word we need to be careful in use of because as was said, when you look at certain areas like Angwin, if you've got a grocery store there, you're not quite that remote. I used to live in Berryessa Estates and I could get Popsicle three blocks down the road but nothing else.

So I just want us to be careful in terms of the remote and think more in terms of access, accessibility in the roadways. I think that that is a key component for us here. We have the unfortunate benefit of understanding how important ingress and
egress is especially in a fire prone areas, and I think that we need to utilize that.

October causes me pause when I think about variances. Variances for roadways, for example, they're there for a reason. So when thinking about a remote winery, I think that the access whether they are the rural arterial roads or those single-lane roads. I think that's something that we certainly need to consider in a policy.

The other part is related towards the agricultural activity. We find ourselves I think in this really -- in this classic chicken and egg scenario because if we say -- right now I did the math, 56 percent of the wineries in -- 56 percent of the wineries are using some form of estate component of 20 percent of 40 percent or more of their production of an estate component. If we were to say have a policy that said you need to have an estate component, then we are in fact encouraging more development of the vineyards themselves.

So I'm cognizant of the fact that -- estate component to me was very informative in the Soda Canyon process when I helped those parties address their concerns, it was a very informative factor for
me in the Mountain Peak decision. In fact, something that we required as an additional condition of approval and the reason was there are grapes and they will stay off the roadways, that to me is what informed that estate component and those scenarios.

It's a different story to say there will be grapes that will stay off the roadways. To include the estate component, I absolutely agree with my colleague it very much is -- it enhances the agricultural connection, it takes away that commercial feel of there are no grapes on-site but what that threshold is I think we really do need to understand from the community, from industry groups, from everyone because how much more grape production will we mandate. That's what we would be doing if we have an estate component. This is -- it's different from those scenarios with Mountain Peak that have the grape contracts already in place.

So I just -- I don't want any custom crush facilities in these rural areas, that's for sure, that has no place. You are welcome in the 5th district. I'll find you space in the airport industrial area or out in the Corporate Park and we will welcome you with open hands and I'll be there for the ribbon cutting
but out in the hillside areas, custom crush facilities
I don't think enhance the agriculture area of those
portions. With that said, we have to be very cautious
of the requirement of the vineyards, balancing that
with the permitted capacity and the estate -- and all
of the Napa grown crop.

The other one to me that is of concern is the
hold and haul concept. Hold and haul to me is it has
its benefits, it has its downsides. One of the
downsides for hold and haul, when we look at the
nature of the truck traffic involved with hold and
haul going down to presumably East Bay Mud because
that's the cheapest place to process this industrial
waste water that is practically drinkable, it goes
through our roadway system. So it's a full travel
down through American Canyon and that number of just
that increased whether it's one, whether it's two, yes
it's a very small number but we need to consider the
safety of all involved and that's the community nature
itself but also the load -- the truckloads that are
being put on to our roadways.

With regards to sustainability, I think
sustainability needs to also consider the commercial
aspect. One of the things that when we -- that has
troubled me is we permit the number of employees and we're not tying that necessarily to the capacity of the land itself and those roadways, it's really about life and safety, accessibility, what is a safe number of people to have present to and from including that travel up to these locations.

Then I'll just end with saying we have an amazing opportunity to allow the community to fully participate in this. I don't see that we would have any reason to proceed in the next couple of months without that valuable input from the strategic planning process. I think that's a great opportunity for others to weigh in, especially when it comes to our tolerance of where we want to go. I think that also gives us an opportunity to work with our industry groups, like issues that are more urgent and immediate. I think that is one that can certainly benefit from great input and allow us to move in a -- move forward with a policy that is reflective of our community.

Supervisor Dillon said -- I think that's really helpful when she said in 2010, there wasn't the need to define this but now there is, and I think it would behove us to do so in a grander way than just
THE CHAIR: Thank you. Supervisor Dillon?

SUPERVISOR DILLON: Thank you.

I have so many notes written here. I know you asked for not having 80 percent drawings, but I think that one of the challenges we have right now is because we have not given specifics to this process and specifics are what are used at the planning desk when the applicant comes in and passes over the threshold to move towards the Planning Commission. Then perhaps if citizens have the energy and resources to appeal to get to here, I mean this is the challenge that we're addressing.

I think given what we all went through last October, safety issues are paramount in addressing this. I find it interesting that you briefly addressed the road, RSS, Road and Street Standards issue that's before the Board of Forestry right now and it's interesting to think that that requires a 20-foot wide minimum road. Well, Fresian Road is not 20 feet wide, it's 12 feet wide and the idea that it's okay to put a winery down there because the winery has no control over that part of the road. I mean, it defies common sense and parts of Cold Springs probably
are not 20 feet. I don't have a tape measure and haven't been on it.

I think perhaps one thing we could do is say that that road requirement has to apply to the public road, to all the access to the winery, if that's what we need our threshold of safety. I think I'm just going to throw out some suggestions here but this is the way I'd like staff to be thinking about this.

I think that -- I mean, Ms. Grupp made a good point. We would have had a disaster if there would have been a major event happening of any kind but we don't have control over somebody's private birthday party. The things over which we do have control like winery permits, you build in something that says -- and it's just an example. I'm giving this as an example the direction I think we need to go. It would say, the event is automatically cancelled, if there's a high red alert, red flag warning.

I mean, what's left the room, so to speak, since 2010, is a common sense application of the guidelines. I understand how that's happened in the more competitive environment that we live in. The only way I think we can get around it is by bringing specifics back to the situation unfortunately. So
those are the kinds of things that I would like staff
to creatively think about.

We've been talking about using vehicle miles
traveled and car trips, not numbers of people since we
had the Milca hearing several years ago and I know
it's being proposed but let's put that in right now
especially where -- in consideration of I'll just say
new wineries in the AW because I think that is what
the distinction is here.

I don't think every winery in the AW is
necessarily considered remote. On one side of Silver
Trail, it's considered AW and on the other side, it's
AP or AR. So that can't be the threshold. Maybe we
should be using a map to say where these special
parameters are going to apply in terms of future
winery development, a map that embraces width of
existing road, not kind of road because they're all
different in size, a map that addresses topography,
maybe that's the threshold criteria -- the threshold
look of when these criteria that we're talking about
kick in because as has been said, defining remote and
then it may not be what we need to define.

We need to be able to set some expectations
so that we're not met with a situation we were met
with and I think Supervisor Pedroza said this of the Oakville Winery. I mean, those folks it was unfair for them to get that far through the process.

So this needs to be addressed sooner rather than later because every week, you have folks down at the front desk starting to go through the process and it is unfair for them to go through this process and then be met at the end with nope, this doesn't work. So they need to have reasonable expectations and that's a reason why we need to set these parameters.

I'm concerned about saying things like "estate grapes" and then if the vineyard has a problem, what are we going to build in there to say your vineyard has a problem. You don't get to haul grapes just to keep your winery in business; are we prepared to do that? I mean, those are the things we need to look at because if estate grapes was the reason for saying, oh, you're going to have less truck traffic.

I mean, we've got to have some expectations here that we set for the prospective business owner, the winery owner, of what's going to happen if they are seeking to have their business established in these certain areas. I don't want to call them remote
because of that five minutes from an elementary school situation. So I'll leave it at that and -- well, I won't leave it at that.

I'm curious about why we have to do an ordinance and go through that long process and why we could not have adopted a resolution as we did in 2010. At the end of your Staff Report, it says that you recommend an ordinance to ensure enforcement. I'm unclear because what we enforce ultimately are the conditions of approval. We're -- what we're doing here is defining the process for how you get to a permit with conditions of approval.

MR. MORRISON: No, Supervisor Dillon, you're exactly right. The conditions of approval are what's enforced for the use permit, the code, for anything not covered under the use permit. My concern is that the marketing guidelines established on the 2010 memo may not be perceived as being as enforceable as they are guidelines and not codified.

I think the Board can adopt a resolution, if they so choose. I just think that at the end of the day, if in a contentious code enforcement situation, I just think an ordinance is more defensible but I think that guidelines could certainly be used if that's the
Board's preference. I don't know if counsel has anything.

SUPERVISOR DILLON: We may need an ordinance for the menus and lunches and food situation but for this --

MR. MORRISON: Well, I guess like I said, the Board could -- my concern would be that some applicant's would say oh, well those are just guidelines so I'm not mandatorily obligated to follow them and so I'm going to submit my application anyway, that would be my concern. Guidelines are seen as not being as much of a statement of County practice as an ordinance would be.

SUPERVISOR DILLON: So maybe this needs a discussion at another time but it seems to me that a guideline that says we're not going to be favorably looking at putting a winery at the end of any public road that's less than 20 feet wide.

MR. MORRISON: Would set the expectation.

SUPERVISOR DILLON: Would set the expectation and then the winery either decides to go forward and gets a permit or doesn't, and I don't see that as an enforcement issue.

MR. MORRISON: Okay. We will take a look at
that. I think that's certainly a worthwhile option to consider.

SUPERVISOR DILLON: Yeah. All right. Thank you.

THE CHAIR: I appreciate what you're saying. Having lived through the 2010 and thought what we put there in resolution in guideline and how it's morphed into something else, I would like to do this better than what we did with the 2010 resolution that has been interpreted a number of ways and it would -- this process I would like if we're going to -- I think there's some value to doing a resolution but it should be pointing to that we're going to follow it up with ordinance to -- as we develop this whole ordinance to beef it up.

I have a couple of things to say. One of them is that one of the things that Mr. Morrison pointed out at the beginning of this is that we had about 500 wineries -- about 500 big boxes in the Ag Preserve Area and about 300 in the Ag Watershed because that's 60/40 and it's really nice to have 500 as a number so that you can get that in your head, and that's still quite a few boxes in the whole Napa County.
I've just gotten back from traveling the Rhone Valley, the Moselle Valley and the Alsace Region in France. You look at the vineyards, and there are almost no boxes in those vineyards. Mostly the wine action is done in the villages. They do have small villages that are relatively centrally located in all of those wine regions. Mostly wine production inside in those small villages and not in the grape area of the agriculture. I can see some value to that.

So in my mind, we may not -- we may be talking already that we're near carrying capacity for the numbers of wineries -- numbers of large boxes that we have in the county. One of the issues and I was thinking of this in illustration, we don't have this rapid stream of permits coming. What we have is more kind of a rising tide. I used to try to build -- it was nice having Salmon Creek Beach in our -- in my growing up. We used to build sand castles by Salmon Creek. The creek was rushing by but you never worry about losing your sand castle because the creek is rushing by. You build it out on the beach and very soon the tide is coming in and over topping what you're trying to do.

What we have is oftentimes we make an
approval for a small project at a remote location and over time, that small project increases because it's being successful. It's doing what it does and it just increases. That's kind of what we feel we've had success of the rising tides in Napa.

So there's a real value for us having this conversation, whenever we have it, because one of the things -- and I've taken good notes from each of our supervisors, as we discussed it. I've taken good notes from the public comments also but taken good notes from each of our supervisors and each of them are talking about there needs to be some real clear indication that this tide can't continue rising the way it is because we're soon going to be over topped all around.

So there is concern in letting future developers, future winery owners, future folks know that is better to let them know now. My goal has never been to turn down projects. My goal is that we have clear enough rules and regulations and expectations that they -- that bad projects aren't coming forward and that we're not having to turn them down. I tell people it takes millions -- many no's to make a final, yes. Most of these projects come in and
they get changed around over time.

I think size of traffic, amount of traffic, the sustainability and the estate vineyard, those are all things that we should be talking about. Hold and haul, you know, one of the things that the size -- the size of road and requiring that you have water and sanitation at your place, it's natural constraints. So natural constraints should be taken into account of that project. I think that's -- those are the things I want to say right now.

Supervisor Ramos?

SUPERVISOR RAMOS: Thank you.

I forgot to ask for this but I think it might help at least to inform the conversation a little bit more for me is if we take maybe I don't know what a good measure of time would be, if eight years is too much but if we look at the requested variances for projects that have occurred in the AW, those that have come up on appeal and what the nature of those are, I know there are a number of them that we've seen, roadway standards and driveway variance -- roadway standards, variances, left turns, just accessibility type variances is really what I'm looking at and then also setbacks. That's the other one that comes to
mind when we look at this. I think that would help to inform the process.

I think one of the -- we have a set of rules of which variances have been requested and now we're being asked to clarify further. So knowing what is working, what isn't working I think would certainly help to inform the process a bit better for me.

THE CHAIR: Thank you, that was a robust conversation about remote wineries and hopefully -- I know I've got a good number of things talked about.

C E O Tran?

MR. TRAN: Thank you, chair.

Would it be helpful -- I know staff has taken a lot of notes and the video is also available too but would it be helpful for staff to sort of summarize and capture all the main points. Also, a lot of ideas are put out here today and I thank Supervisor Gregory for asking the question about strategic planning. This I do so as a complimentary item too what is going on because the County's business goes on as normal. We don't stop and wait. We don't -- what needs to be done will be done. We don't need to stop and wait for anything.

So that maybe a summary maybe if available,
just a highlight summary of that and then in addition also to manage expectations is the timing as to when should the timing for some of these items to come back, all of them to come back so that way we have a clear understanding because staff does have a lot on their plate and it would helpful to sort of get that direction.

THE CHAIR: I think that would be helpful to be able to see what was said and what we talked about and kind of some -- kind of a path forward from there. Thank you.

MR. MORRISON: Certainly and these are in no particular order.

The question of whether a site can support its own septic system requires hold and haul. Question of no custom crush on rural roads. The accessibility in general and traffic safety with regards to roads. A connection between visitation and remoteness was mentioned. Safety especially cancelling marketing events if a red flag warning is in effect. Not going by the AW zone but by using a map looking at such things as road classification topography. The question of whether this should be guidelines or an ordinance and including numbers on
accessibility and setback variances are exceptions. I would probably just include -- inaudible-- exceptions in that as well in case there was any interest in that.

Those are the general areas I heard. I heard several of these items mentioned by more than one board member, and I think staff has a very good sense of how to proceed forward and very much appreciate the discussion this morning.

THE CHAIR: Good, good. Yeah and I realize that each of us have probably a small item that we mentioned that we didn't hear but we'll get to opine on that when you come with our compiled list.

MR. MORRISON: As always, Planning has a very lengthy and publicly involved process, and there will be many opportunities for board members, if they have forgotten anything, if they wish to let either Mr. Smith or myself know at future hearings. So there's plenty of opportunities for further comment.

THE CHAIR: Thank you.

MR. TRAN: And I'm sorry, the second item was timing and the expectation or leaving that to staff?

THE CHAIR: Yeah, at this point, I realize you have to judge what we can do. But I think it's
helpful to have the discussion out there in the community so that there aren't any surprises.

MR. MORRISON: I think Mr. Tran was referring more to in terms of managing workload and priorities if the Board has an expectation about when they wanted this to come back so the staff can adequately try and gauge how much -- where to fit this in with the other directions that we received.

THE CHAIR: That might be helpful in your recitation of what was said today to put down, "Here's what our workload looks like right now," in one sentence format and then we can see what that looks like.

Supervisor Gregory?

SUPERVISOR GREGORY: I just want to clarify when you say come back, do you mean come back to us or send to them and the Planning Commission; what are we talking about?

MR. MORRISON: Well, I think that -- my thought was and I'm certainly open to correction by the board, was that staff would start to put some details on these items in working with the community to develop how these concerns that the Board has addressed, how they might be stated in either
guidelines or an ordinance and then to circulate that
draft to the public. Why it maybe hearing from at
least Chair Wagenknecht and interest in having a
summary memo including what items that were discussed
as well as an overview of workload and whether that
would be just provided to the Board as an
informational item or to come back as another
discussion item. I'm not sure what the Board's
pleasure is.

THE CHAIR: I'm not sure either.

Supervisor Dillon?

SUPERVISOR DILLON: Yeah. I think you ought
to come back with -- I mean, you recapped verbally but
I'll just say I don't think the idea I was presenting
was captured except to some specific aspect of it.

So I think you need to come back to us and
that's just me and perhaps that happened with others
and you were doing that on the fly and from your
written notes. So I think coming back to us with some
clarification on direction, and that can happen sooner
rather than later in a week or two because it's
refining direction and then there would be engagement
with --

MR. SULLIVAN: Yeah, absolutely. The next
regular board meeting is October 9th. That's been set aside or emergency preparedness so the 16th.

THE CHAIR: But looking at sometime in October would not be a bad thing.

Supervisor Pedroza?

SUPERVISOR PEDROZA: I think that's a great approach. Maybe coming back, David, with the comment about visitation, I think we already have tools in place to address that. So if there are something that we're already doing, including that in summary. And also some of the history of these topics because we have talked about some of these in the past so include that in the analysis that you present to us or the summary.

THE CHAIR: It's getting bigger.

Okay, Supervisor Ramos?

SUPERVISOR RAMOS: Thank you. This is sounding like a binder and not a memo.

Words matter and I'm concerned with continuing to call this "remote wineries." I think we really need to come back to our tool kit at zoning and what we're really talking about and to be very careful with rural as well. It doesn't inform our process to use rural and remote. I think that all the
supervisors have opined as to what does inform the process of what we're looking at and for us, it's that sustainability and living within our means and from the roadways, from carrying capacity all those things.

So I'd really like to make sure we encompass that, define it differently. I'm very concerned about the further development of how the conditions of approval come into this mix here. I think that would be something for staff to speak with County Council about of whether this would require a different standard set of conditions of approval for those areas going forward and what that -- what is our flexibility in terms of creating essentially a second set of conditions of approval for those areas affected by this potential policy change.

THE CHAIR: Thank you and thank you for the discussion.

We're going to take a break, it will be 12 minutes, according to the clock I see. We'll be back at 11:30. We need to be done at noon.

(The discussion was concluded.)
STATE OF NEVADA

COUNTY OF WASHOE

I, GAIL R. WILLSEY, do hereby certify:

That I was provided a recording and that said recording was transcribed by me, a Certified Shorthand Reporter, in the matter entitled herein;

That said transcript which appears hereinbefore was taken in stenotype notes by me from the recording and thereafter transcribed into typewriting as herein appears to the best of my knowledge, skill and ability and is a true record thereof.

__________________________

GAIL R. WILLSEY, CSR #359
EXHIBIT “2”

EXHIBIT “2”

EXHIBIT “2”
NAPA COUNTY BOARD OF SUPERVISORS MEETING
COUNTY OF NAPA

RE: 10 Community Resources & Infrastructure
Director of Planning Building and
Environmental Services requests
Confirmation of direction on proposed winery
compatibility measures.

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TRANSCRIPT OF PROCEEDINGS

October 16, 2018

SUNSHINE LITIGATION SERVICES
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APPEARANCES

Chair Brad Wagenknecht  
Supervisor Ryan Gregory  
Supervisor Diane Dillon  
Supervisor Belia Ramos  
Supervisor Alfredo Pedroza
THE CHAIR: Our Tuesday, October 16th meeting and role call, please.

UNIDENTIFIED SPEAKER: Vice Chair Gregory?
SUPERVISOR GREGORY: Here.

UNIDENTIFIED SPEAKER: Supervisor Dillon?
SUPERVISOR DILLON: Here.

UNIDENTIFIED SPEAKER: Supervisor Pedroza?
SUPERVISOR MEDROZA: Yes.

UNIDENTIFIED SPEAKER: Supervisor Ramos?
SUPERVISOR RAMOS: Here.

UNIDENTIFIED SPEAKER: Chair Wagenknecht?
THE CHAIR: I'm here.

Please join us for the pledge of allegiance.
(The pledge of allegiance was held.)

THE CHAIR: Well, good afternoon. I'm calling us back into session. We're on the sprint to the finish now, folks.

We're on Item 10, Community Resources and Infrastructure. Director of Planning Building and Environmental Services requests confirmation of
direction on proposed winery compatibility measures.

Mr. Morrison?

MR. MORRISON: Thank you, Mr. Chair.

It feels much emptier up here without the other task force numbers. I'll try and keep my opening comments fairly brief, given the lateness of the day, but I do want to take a minute to just kind of reset the stage a little bit.

So the County's been described in the past as having a solution oriented approach to wineries, that was a much easier process to do when the potential winery sites were more plentiful but as development moved on to more challenging sites, it's been much more difficult to find solutions that satisfy both the winery owner and their neighbors. Over the last year, solutions have not been found and the Planning Commission has denied several projects. However, these decisions were made on a case by case basis without any underlying context.

The Board is taking quick action to provide a framework that will inform applicants, staff and the Planning Commission on how these projects can be addressed that have significant constraints which will help reduce the extensive debate over marginal
proposals. What is that underlying context? I would say as always, what does the general plan have to contribute to this discussion. Sure enough, if you look at Policy AGLU-10, new wineries and other agricultural processing facilities as well as expansion of existing wineries and facilities in agricultural areas should be designed to convey their permanence and attractiveness.

Now, to me, permanence implies that a project is sustainable, it's going to be here for the long-term. It's been designed with those principles and that may include things like hold and haul or may include things like a water availability analysis but it may include things like estate grape requirements. But it implies that it's not designed for planned obsolescence or disposability but for something that's here that's going to be here for a long time and designed well in that regard.

Attractiveness, also, I think with the permanence, implies compatibility, it's compatible with the community, compatible with the neighborhood, compatible with the physical constraints of the site. So I think the general plan has already spoken to this just in a way that perhaps we haven't looked at
I would also point out that the action item to policy LU-10 talks about maintaining a data base of wineries including production capacity, marketing events and other characteristics which we've done and that data base should include other characteristics that could influence analysis of the cumulative effects or the winery's effect on neighbors.

So again, the fit, the compatibility of a winery neighborhood is recognized in a general plan as being something that's valuable, and I think that goes to much of the heart of the discussion that the Board had two weeks ago and is having again today.

So that concludes my comments. I'm certainly available for any questions. Following Board questions and public comment, I can go through each item, if the Board would like to take that approach, or we can do it more holistically, and I'll conclude.

THE CHAIR: And just because it has been kind of hinkey with electricity around and people not getting some of their written stuff that comes over the Internet usually, we have copies of this Staff Report, it's not a long Staff Report in the side tray over there. So if you're missing that, you can have
the benefit of that at this point.

General questions from the Board at this point? I don't see any at this point. So let's -- I will open it up to the community. What do you all think? What are your -- what's your input?

THE SPEAKER: Hello, again, Eve Conn.

I have a comment on visitation, on tasting room and marketing visitation. Mike Hackett earlier mentioned that he was concerned and wanted to roll back some of the changes to the WDO specifically as it relates to food service.

This month has been very interesting because there's been a lot of restaurants closing and a lot of articles published. One of them is why Yountville's Red's restaurant is closing. I'll quote from here. It says, "Blanchard who is a master -- inaudible-- points to the wineries as having a role in the challenges restaurants are now facing. Red's closing says a lot about the changing dynamics of dining in the valley. Restaurants have to compete with so many wineries that are now offered food pairings and lunches with in-house chiefs. Tourists aren't necessarily interested in a big dinner or fancy lunch when they could have an experience at a winery."
There was another article about Brian Arden wines from Silverado Trail in Calistoga and it's talking about the, "Chief bites are served for intimate groups, two to eight. Four course menus change frequently based on seasonal harvest and contain plentiful portions that might require reconsidering a dinner reservation."

And just this morning in the register, there's a big article about food and wine at Sequoia Grove and the author is pleased that we can have more than wine crackers, water crackers or Hershey's Kisses but wineries are now and visitors are able to benefit from an ambiguity in the ordinance that allows for educational wine and food pairing.

This little loophole is making it possible for us to enjoy meals at wineries. They're talking about five-course meals. They're talking about how difficult it is to set up this restaurant within the winery and support staff and it's says "Is no small endeavor. Neither is staying within the parameters of the loophole."

So this is not -- these are not my words. These are words that are coming from the industry themselves. I think if we're going to look at
compatibility and sustainability, we need to look at the continued viability of our cities and how the changes in the wine industry are now affecting and so we have restaurants closing from Calistoga all the way through Napa. So I don't want to that to be overlooked. I would love to have some of that kind of brought into this discussion. Thank you.

THE CHAIR: Thank you.

THE SPEAKER: Howdy again, Bernadette Brooks, 3013 Dry Creek Road in Napa.

I think a lot of the topics that are in here are very important to maybe go down a little bit more level of detail in some of them so that we would know how they would be enforced or a little bit more when you talk about estate grapes, that makes sense but is 10 percent reasonable, is 15 percent; does it still depend where they are.

There was a conversation between someone going in for a major mod and a neighbor saying well I don't have enough water to do the vineyard and my beautiful winery, I just won't plant the vineyard because I'll save all the water to make my wine and have my events in my beautiful place at the top of my hill. That's going the completely wrong direction of
what we want to do here.

So we have to be careful but we have to be more specific. Some of the things that are being built are major mods are oversized for what they might be asking for the first time around but we need to look at also when they come back in five years if we told them the first time around that one size was all that parcel could handle, then when they come back again for a major mod, we shouldn't be saying now all of a sudden because you are there, you've already built something, we're going to let you do another -- you're going to go from 30,000 gallons to 100,000 gallons. I mean, that's a huge jump in production and we know we already have I don't know how many times over production allowed out there.

So I think we need to look at that. I think -- the thing that makes me nervous and planters bless them, I don't know how they have the patience sometimes, but they really are trying to help the customer come up with something that will work. I think then the customer gets frustrated because they're trying to say, Well, maybe if you did this or maybe if you did that, I think sometimes we just need to say "No." Thank you.
THE CHAIR: Thank you.

THE SPEAKER: Hi. Thank you very much for this opportunity to speak to the Board. My name is Keith Glance. I live at 390 Cold Springs Road. I first came to Angwin in 1968, and I've been at the Cold Springs Road address for 32 years.

They say that a picture is worth 1000 words. I don't know if there's a thousand words in this memorandum or not but I am and always have been an advocate of personal property rights. However, I draw the line at one simple word "safety" and I still hold true to that. I may not want people buzzing up and down my road to go to a winery but I'm not the center of the universe, however, my children are.

The picture that you have in front of there was taken in front of my house just a few days ago. Fortunately, U P S trucks on Cold Springs Road is an infrequent event. If you do meet a truck even if you meet another car, you can see there's two pickups behind that, you dive into somebody's driveway so you can get by. That's the way things are on Cold Springs Road, but we don't have that many trucks. If there is a winery at Cold Springs Road, you have tanker trucks, box load trucks, it's going to change the landscape...
enormously.

Immediately to the right of that picture is a house where three kids ride their bikes to school every day. Behind me where I was standing to take that picture, there's two kids in that house. There's a lot of kids in that neighborhood, and their safety -- mine are grown up and they're gone thank goodness, but their safety is what I'm speaking to today. Cold Springs Road is no place for a winery because of safety. I'm not going to speak to whether or not the wineries and the restaurants should compete, I'm only speaking to the fact that that road -- if the County wants to make it a four-lane road, that's fine, bring it on but I shouldn't have to pay for it.

The other issue that I would like to speak to regarding is safety and I apologize to the Board for digressing but the safety issue of P&GE turning off the power has created a huge nightmare for us. I haven't slept for two nights. We have no way at our house of calling the police, calling the fire knowing whether or not we need to evacuate or anything because when PG&E cuts off the power, we lose all Internet. We lose all access to the outside world incoming or outgoing. We don't know whether we're supposed to
evacuate until somebody pounds on our door.

So we haven't slept for two nights and we're looking forward to the power being back on. The Chevron station has no fuel, and there's generators running all around me. Not everybody should have a generator. You're creating a lot of problems there. I realize that this is the first time this has happened but it's not PG&E's first rodeo and to revert to a third world process of just shutting the power down is not the answer. They should have had a better answer by now. Thank you.

THE CHAIR: All right. Thank you.

THE SPEAKER: Trisha Damery, Dry Creek Road.

I appreciate the leadership that is shown in this document. I really feel that if we come up with a set of regulations that honors the environment, honors the agriculture, our watersheds the whole and we hold to it, not let the economics of a few drive the engine here, it's going to do a lot for our community because I think our community really has been fractured by what's happened.

So I really celebrate this. I'm glad that we're working on it. I think that many of these are very reasonable suggestions, and I hope that you make
it an ordinance. So thank you.

    THE CHAIR: Thank you.


    One of the things that I think we need to address in drafting policy like this timber harvest conversions typically occur in Napa County for vineyard development. In the case of a recent winery application, you have a timber harvest conversion where the trees will be taken down to accommodate a winery. So I think we need to think about that. We would be taking down our coniferous forest, in some cases, for a winery. So maybe that's not something we want to address.

    I did want to mention that Dawn and Jack Morgan were here this morning unable to stay. Robin Lail and then Nancy Lacorte of Pacific Union College all came at 9:00 and were unable to stay all day. One of the big concerns when we start putting wineries in mountain top canyon locations, these are our headwaters of our watershed, and we are going to be putting industrial waste water treatment facilities in our depressions and our headwaters, do we want to do that. I think that's a point it is slightly mentioned
in there, but as a concept, do we want to have waste water treatments for 50,000, 100,000, 50,000 visitors where we get our drinking water.

I think we need to discuss the nexus between I believe there is a policy about clearing of trees and vegetation in sensitive domestic water supplies that there is a cap to protect those water supplies and are we allowing the wineries to exceed that clearing cap for their footprint, how are we dealing with that and how are we dealing with the cave tailing degree as far as it impacts natural vegetation. Definitely, we're going to have to have a meeting in Angwin on this. Obviously, we are the community that is most greatly affected with the potential for winery development.

Power outages, of course, necessitate generators and though we may build wineries to try to be quiet and be good neighbors, when you do have to power up large generators for cooling and processing, you can't help but hear those echoing through the canyons and that impacts wildlife as well.

I really believe that we need to address a cap, a finite number of wineries that our county can accommodate. Piece-mealing, of course, is always a
concern when a winery -- a new winery has gallonage
and visitation and comes back later and asks for
changes, that is piece-mealing -- inaudible -- brought
up a particular winery, Brian Arden, and I had just
read about them. They have 260 vines, they're quite
proud of that, 260 vines.

Now, they are within the City of Calistoga,
but they actually employ a chef. I think we need to
think about that. What is the relationship of the
actual grapes that they have versus the product
they're delivering which is food service. Thank you.

THE CHAIR: Thank you.

THE SPEAKER: Good afternoon, Deborah --
inaudible, Treasurer Wine Estates. I wasn't actually
going to speak but I have three really quick points.

The first one being when you're dealing with
new wineries in these remote areas, I would like to
remind you all that you cannot put any limitations on
new wineries that you can't -- that would also apply
to existing wineries, if they come to change their
business or expand their business. So I think we need
to keep that in mind as you move forward.

The second is I don't think that we can
really make policy based on what the Napa Valley
register reports. While labor is an issue, I know for a fact the two big restaurants closing Red and Terra have nothing to do with wineries, food and wine pairings or even labor, it was different issues at both. I know this because I have -- my husband is in the restaurant business so I do hear what's going on and one of the open air restaurants, I've never heard it once in looking at different sides is what wineries are doing.

Having said that, you can all help us who are trying to do the right thing with enforcement from those wineries who are not because I get on, if not weekly at least a monthly basis. People on my D D T and marketing teams coming to me with what some winery is doing about meals. Why can't we do this, and I have a hard time stopping them and telling them well, here is why you can't do this.

So if you enforce the people who are actually doing the illegal operations and help us who are actually doing the food and wine pairings which is educational, how you should be serving wine with food and educating people that's how it should be consumed would help us tremendously for those of us who are doing the right thing. So thank you.
THE CHAIR: Thank you.

THE SPEAKER: Margo Kennedy, Cold Springs Road, Angwin.

I'm here at the moment at the podium to represent Nancy Lacorte. She's the P U C vice president for academic administration in Angwin. So she's been a resident of 35 years of Angwin and lives also on Cold Springs Road. Nancy had to leave and so she asked me if I would share her comments.

Pacific Union College -- she was here to represent the college, is concerned about increase in traffic resulting from winery developments or proposals especially near P U C Elementary School and the Discovery Land Preschool. They're both on Cold Springs Road. Many children and their parents use this narrow road including on foot, bicycle. The college urges the supervisors to preserve the residential character of Angwin's roads and this would obviously include Cold Springs.

P U C also wants to make note that some of the wineries in Angwin already are using their parking lots for staging grounds and where they -- I guess they must move their clientele from that spot. So they meet them at the supermarket. They meet them --
they've even used the elementary school parking lot.

One situation that I'm aware of that just happened recently is they moved a truck on to one of the parking lots because they wanted to use their parking in front of their house for their own friends to be able to come.

So various things will happen in neighborhoods that you would never know because you don't live there but P U C is very concerned about the use of their facilities for wineries that may not be able to accommodate the clientele at their own winery.

Okay. Thank you.

THE CHAIR: Thank you.

THE SPEAKER: Hello, Michelle Benivito, Wine Growers of Napa County.

I just want to remind us of the conversation we just had which was a universal desire to have data driven evidence based decisions, transparency and community outreach and education and collaboration between the community and the County.

So just three weeks ago on September 25th with little notice, the Board considered the remote winery ordinance, it was described as a way to address winery agreement in remote or restricted access areas.
The Board did a thoughtful discussion and listed items to consider. One item was the definition of "remote." Since, as the supervisors expressed, not all areas of the AW would be considered remote, yet the proposal before you today appears to disregard location of a winery and recommends change to all agricultural zoned areas.

So I urge the Board to require engagement with the wine community including its trade groups regarding the proposed amendments to the W D O because that's what this is a proposed amendment to the W D O. In 2010, the Board nearly adopted changes to the W D O to allow weddings at wineries and it was the wine community who urged restraint, then worked with the County regarding the small incremental changes.

The County has a successful history of working with the wine industry on significant wine industry regulation like the D W O, the conservation regs, the water availability analysis. Involving the industry you are regulating is critical to help avoid unintended consequences in the future.

I'd love to go into detail of all of the items listed in today's Staff Report, but I don't have the time in this meeting and with the limited time the
Staff Report was available and the limited availability of Board members, I wasn't able to contact and talk to you all directly about each and every item.

So again, the changes discussed in today's Staff Report would be significant amendments to the WD O, it would also impact existing wineries at a time when the Board is encouraging existing wineries to update their use permits in order to address upcoming code compliance changes.

Lastly, Wine Growers is concerned that the Staff Report suggests implementing these changes through a memorandum while an ordinance is being drafted. Implementing legislation before the adoption of an ordinance is inappropriate and not consistent with Sequa's requirements. Napa County requires extensive Sequa process for proposed winery activities. So we expect Napa County would hold itself to the same standard. Thank you.

THE SPEAKER: Good afternoon to the Board.

Gary Margonant from up on Mount Veeder Road.

We recently went through a winery application up near my home on Mount Veeder Road that proposed a winery that had absolutely no vineyards whatsoever,
and the Planning Commission didn't particularly like that combination of compliance.

So I would say to you and it's interesting what you talk about custom crush because the, you know, that's what that place would have been, it would have been just a custom crush. I think for them to actually place the custom crush by what David was speaking about and I hope I heard him right, was that the industrial areas are more a route for the custom crush. Mainly because of all of the traffic that's involved in this type of thing. I would be more than happy to see that and the cost of compliance for all of the regulations and the coming to work with the County and stuff is really something that -- it gets to be a real bug there because of certain people.

I mean, if you take the Anthem winery, they've spent a lot, a lot of money trying to make themselves comply and fit that thing onto a piece of property. You know, they have water. They have access. They have a number of issues and stuff like this, do you think it would have been -- the Anthem winery is just might not be the acceptable size for a winery in that area.

So I would say to you that the cost of
compliance and stuff like this just to try to make it fit. If your planning department and your conservation department is working overtime to try to get them to fit this into the project, maybe you should really look at it and say no, you know, a little earlier before the applicant has to spend that much money to try to fit it in. You know, somebody has to sit there and say "Yes" or "No" about these issues that, you know, this remote winery discussion is all about.

So we would appreciate something -- you know, you talked about community, you know, community compatible. That's what we really, really wanted up on Mount Veeder was something that was like this. We didn't want a 7-11 winery up there, you know, that was just going to have the grapes hauled into it and then all of a sudden, they make the wine and then they have the parties because they pulled the winery, they wanted it 75 feet from the road when the setback was a couple of hundred feet which would have been more compatible with that. We would have just liked that and it's too bad, you know. I think it would have been better in a different location. Thank you.

THE CHAIR: Thank you.
THE SPEAKER: I'm going to be a rebel and come over on this side. My name is Roxanne Hogan. I live on Fresian Drive in Angwin. I wasn't going to speak today but apparently my comrades didn't show up so I'm going to speak on their behalf.

Fresian Drive is a private road. We currently have two wineries located there. One winery went in many, many years ago. The residents bought into that, it was fine with lots of restrictions which they have not adhered to at all. The one visit per day can be 20 people in a van. So that's one visit.

The wineries use our road more than our residents do and because of the amount of cars and vans and then, of course, just the winery equipment and all the tractors and whatnot that go in and out, our road is falling apart. Because it's a private road, we're responsible for it. They don't put any money into it.

The proposed winery is going to be up a road that is really quite treacherous. Even the people that live up that road don't like to go up there own road. There's just no way. There's some parts of our road that are only 12 feet wide. So we have a few turnouts, but there would never be enough room for
these winery trucks especially for this winery that's going to be bringing in grapes because they don't have enough vineyard up there.

So it's a safety issue. It's a safety issue just for the folks that live there and want to walk on the road with our animals. It's a safety issue for the wildlife but it's an extreme safety issue on the road that this proposed winery is going to be. Those folks up there if something were to happen on one of those trucks went off the road or jackknifed or whatever, they wouldn't be able to get out. There's one way in and one way out on Fresian. So evacuation especially in light of the fires is a real concern for everybody.

So I'm just throwing that out there. People don't always thing of safety as a big concern. They always think we just don't want a bunch of wineries up there. We don't want all these people coming up to party and disturbing us. Safety is a huge issue. Thank you and I'm sorry, I didn't get to read this before but maybe it was addressed in here. I don't know.

THE CHAIR: Thank you. Further public comment on this point? There's not a repeating public
comment, no.

THE SPEAKER: Well, I -- Margo Kennedy, Cold Springs Road Angwin. I thought about asking for two, three-minute periods, one I could speak for Nancy Lacorte.

THE CHAIR: We normally don't do this at all so can you keep it very, very, very, short.

THE SPEAKER: So you close comment?

THE CHAIR: Well, I usually only let one bite at the apple for --

THE SPEAKER: For any one individual?

THE CHAIR: Yeah.

THE SPEAKER: Okay. Even though I was representing her?

THE CHAIR: Yeah. So if you can keep it really, really short.

THE SPEAKER: I'll try and you can cut me off.

Wineries, in my opinion -- am I cutoff already? Wineries, in my opinion, do not really belong in the watershed. Now, we have a history where we've created wineries and we have businesses in Angwin. They don't belong in the watershed for a number of reasons -- is that my well already?
THE CHAIR: Conclude your statement.

THE SPEAKER: Okay. They're industrial and they're commercial. When you have a watershed you're trying to protect and a water quality you need other ingredients. You need forest. You need water drop. You need water filtration and therefore, you get water quality. Adding septics, large septic systems to those conditions are not a good scenario.

Now, in the 90's, a winery wanted to go in behind me and at that point, we had to come back to the Board. None of you were on it and that was the very case and they didn't put that winery in so.

THE CHAIR: Thank you.

THE SPEAKER: Good afternoon. I'm Michael Mondavi. I live at Silverado Trail, Napa.

Thank you for the study, first of all the strategic plan. It is so important in evaluating all of this. It was like deja vu today going back to the 60's and 70's when the wine industry and the Board of Supervisors got together and created the winery definition ordinance and how do we preserve the jewel that we have here in the Napa valley.

I just love the photograph of Santa Clara valley in the 1940's and of Oakville, Rutherford Napa
Valley in the 1940's and then flash forward to 10 years ago, still the same vineyards, in Napa. It's all factories and warehouses and subdivisions in Santa Clara valley, it was a very fertile, wonderful valley. I commend for taking this study but we need the time to work together with the vineyards, the wine community, the general community and especially now with the remote winery evaluation, especially during the harvest when people are out there scrambling to get the grapes done.

Please take the time to study this. The wineries would love to be involved with you and do what's best for my grandchildren and great children, not just for the next ten or 15 years. Thank you very much.

THE CHAIR: Thank you. I'm seeing no others at this point. I will close the public comment and return it back to the Board. You had an offer from Mr. Morrison to walk us through the different bullets, is that something interesting to you or do we just have some good thoughts to add to what is here at this moment?

Supervisor Dillon?

SUPERVISOR DILLON: Well, first of all, I
don't think this is ready yet to be directed to be put
into an ordinance or any other document. I really
think in general that we're arguing about -- we're not
arguing but we're focused on these details when what
should happen is a common sense application of does
this proposal fit into this place.

I can remember a year and a half ago when I
thought uh-oh I think we're in a little bit of trouble
because I looked at the Mountain Peak Winery
comparison chart and that's what -- this is
compatibility but compatibility is in way comparison,
that had been prepared by the planning staff and it
was for Mountain Peak at the top of Soda Canyon and it
was compared to ashes and diamonds, round pond, black
stallion, Trincaro, Alpha Omega. Why on earth was it
compared to those things? I remember thinking this is
not a good thing because we're not comparing apples to
apples.

The essence of what we're talking about today
and the reason this started as remote is because we're
supposed to be talking not comparing a winery at the
top of Soda Canyon with a winery on Silverado Trail
because you just can't make that comparison and yet
that's where we are right here. We're talking about
these details.

What I'm really concerned about is going through each of these things, seven, and deciding on each of these factors and then you're going to have some proposal come before the Planning Commission that might technically fit into each of these. It's not a good fit at the location where it is. I realize this is land use planning, so it's a little difficult to use. I don't know if it was a metaphor.

I remember in the discussion of pornography, there was the judge at one point who said, "I'll know it when I see it." Well, I mean, the sort of flip of that is I'll know when this is not a good fit at this location based on what the neighbors say, based on many factors and that's the way the winery definition ordinance was designed, it didn't have all these details in it. If you look at the transcript from when it was decided, the legislative history which I wish staff would bring to us. We have it, it says we're going to look at these on a case by case basis.

So I don't think this is the way for us to solve the problem which we have which is that we have had a Planning Commission that has approved wineries that are not compatible with the neighborhood or the
physical situation where they're located and then we have a lot of community consternation and/or we have an appeal to hear.

One of the things that's missing from this process is a meeting between the Planning Commission and this board which it's been at least a couple of years and we used to have that regularly. So we would have some interaction and they would get some informal direction from us and that informal direction solidified that decision-making that was based on the common sense approach of what was the appropriate thing to do.

So, you know, going through each of these and having each of these as decision points, to me, it's not the answer to the challenge that we do have before us. I question, for instance, on Number 7 Variances and Exceptions. "Strictly construe the interpretation of regulations to protect public health and safety."

Does that mean that there's another case where we're going to loosely construe. I mean, I just don't think this is ready for prime time. So given that -- it's not that late in the day but I've been up for most of the last two days. So as I said earlier, I think we should be looking at other things. I think
we should be looking at the bigger picture. We just had our strategic plan folks say what was the number one thing that people appreciated about the Napa valley in the slide show that had no buildings in it by the way. I think that's always very interesting that we always show photographs of vineyards without wineries in them. I don't -- I think we should show wineries in them because they're part of the landscape and part of the context.

What we cherish is natural beauty and environment. I think we should go back -- I think we should go look at some other solutions that were previously proposed. For instance, instead of thinking about the minimum parcel size of a winery, I mean, I'm not saying we should reduce the 10 acres but think about how close they should be in appearance. If you have a place where you have a whole bunch of 10-acre parcels, you're going to have a whole bunch of wineries. I think it creates something that is adverse to what we cherish about this place.

So either increasing the minimum parcel size in certain areas, talking about the developable area including one of the things that's left over was the residential coverage. We've got to get to that
because all the things that people here are saying about wineries, residents could do far more, a mini mansion or make a mansion or whatever.

Talking about the distance between wineries and talking about the safety issues, those are the things that I think we should focus on.

THE CHAIR: Thank you.

SUPERVISOR DILLON: And we've got to have a meeting -- sorry, I'm going to repeat it. It's been long overdue the Planning Commission and our Board.

THE CHAIR: I was talking about that just the other day so I'm with you on that.

Supervisor Pedroza?

SUPERVISOR PEDROZA: Thank you, chair.

And I don't disagree with having the big comprehensive picture discussion. I think we should have that. I think that's what I've been hearing through this strategic retreat and the folks I talked to but I guess I'm just a little confused when this -- these seven bullet points and David, you can correct me if I'm wrong, came out of the last meeting that we had, correct?

THE CHAIR: Yes.

SUPERVISOR PEDROZA: So my concern is if we
don't have the appetite to take these on now, that's okay but we can't keep spending resources on having these discussions over and over again. The reason I wanted to go one by one is to really understand if we have appetite to have these discussions.

SUPERVISOR DILLON: I've got a big appetite Mr. Pedroza, so bring it on.

SUPERVISOR PEDROZA: Well, then we should talk about them versus continuing the conversation. I think that's what the public deserves. If we want to talk about custom crush, let's talk about it. If we don't want to talk about hold and haul, let's not talk about it. But I think we owe it to the public to have these discussions because if not, what messages are we sending to the community.

I would be supportive of having a discussion on each one so I'm happy to begin. On number one, I think the discussion about vehicle trips is a good discussion. I think we should have that. I think looking at that from a visitation aspect and counting vehicles, I think that's a good thing. I don't think that's just specific to the remote rule. I think that can be applied county wide, but we should have a discussion with the community about that.
On custom crush, I brought it up before that that was a genesis for me bringing up this discussion of I do think there are appropriate areas to have custom crush. The examples I've used like Soda Canyon and Atlas Peak Road, I don't believe a custom crush facility at the top of Atlas Peak or Soda Canyon is appropriate. I want to have a discussion with the community about that.

The activity of custom crush is what concerns me. If there's no fruit on-site, that means they're bringing trucks up the road. Those are the discussions I want to have. If there's concerns about it, if there's unattended consequences, let's put those on the table and have those discussions.

So that's kind of what I've been envisioning with this discussion. I'm happy to continue on -- hold and haul, we talked about that on APEC. I think there's other things going on that we might want to know in terms of what the state is regulating with that. On topograph, that's site specific. I don't think that needs to be manifested in an ordinance or in a memo. So I would ask staff what they meant by that a little bit more.

On the fire safety, I'm really concerned
about that in terms of what is a fire hazard area who designates that, what type of conditions of approval are we looking at. So there's a lot of questions about that. Visitation number six, that's site specific. I don't think that needs an ordinance or more regulation to be manifested in that, that's part of the authority we have.

The same goes with variances and exceptions. So I think the ones that I glean from these that can be discussed more elaborately and be manifested in policy potentially is looking at traffic and custom crush.

THE CHAIR: Thank you.

Supervisor Dillon?

SUPERVISOR DILLON: Happy to discuss traffic. I agree with Mr. Pedroza, but I think the issue is enforcement. We need to build in a mechanism. For instance, if you have ten parking spaces when the parking spaces are full, you close the gate. There needs to be some enforcement mechanism that's easily enforceable. We need code enforcement on the weekends too because that's when these issues happen.

The wish -- the width of county roads is a factor. The road and street standards in the S R A
require 20-feet wide and yet we have a photo right here of an access road that's not 20 feet wide. So that just doesn't make any sense.

I have a question I think the rest of them you kind of dispensed with which is not unlike where I was. With regard to custom crush I recall that in 2005, we had -- we were sued to say we couldn't control custom crush and we -- the planning director wrote we changed course as a result of that. So where are we on that topic, it's a legal -- go ahead.

MR. MORRISON: I can speak for the planning director's memo. I can't speak to the lawsuit but the planning director's memo is it rescinded the prior planning director's memo which came out in 1996 I believe that provided some restrictions on how many or to what extent custom crush independent operators could locate out of a winery.

The 2005 memo that was issued by the subsequent director indicated that the County would just look at total wine production regardless of whether custom crush operators were operating underneath that umbrella. I don't know if Mr. Bracks has anything to add regarding that.

MR. BRACKS: Yeah, I think that summarizes it
well. I think the planning director's memo talks about a more efficient metric of environmental community impact meaning more of a nexus I would probably say legally, pertains to the overall tonnage limit rather than five or seven or trying to regulate a specific number of custom crush operations that go in, but we've pulled the lawsuit, it was dismissed shortly after this memo was repealed.

So I'm not aware of any prohibition on a regulation or limitation on custom crush. We would take all efforts to make sure it's legally drafted, of course, depending on the Board's direction.

THE CHAIR: The other side of custom crush is estate requirement, you know, that way we can say, Well, you can only do estate bottled wine; is that a way to get there?

MR. BRACKS: Yes.

The flip side of that is imposing some requirement or percentage on estate-bottled grapes in recognition of I think what Mr. Morgan had said actually which is that custom crush facilities absent that percentage involve more traffic as trucks are bringing the grapes to it and then the wine is leaving than regular wineries would do or estate wineries so.
MR. MORRISON: As an example, Santa Barbara's wine ordinance that was adopted I think last year for wineries located in the designated inland area, wineries required to have at least one half acre of vineyard per 1000 cases or about 2000 gallons, that's about five percent. I'm not aware of any lawsuit against Santa Barbara county on that requirement.

THE CHAIR: That's a requirement that they've made. Okay thank you.

Supervisor Gregory?

SUPERVISOR GREGORY: There's a long list of things to consider. I just want to say again that there's other things coming that are already behind, completing the APEC recommendations that are undone and then the compliance program we're seeing in a few weeks but there's parts of this I think we need to do too.

Of this list of things, there's one thing that got us to this conversation which was a project out in the watershed without any vineyard on it and our Planning Commission feeling like they were concerned about it but they didn't have the policy backup to help them out. It's the one thing I'd like to do right away but we're not -- we haven't figured
out what that state requirement might be that hasn't been vetted.

So that's one thing that jumps out that I think we should handle and not take too long to do it. The others are things we've been talking about for a while. Counting cars instead of people, I'm not sure how to do that, how we would implement that a lot of work needs to go into figuring that out.

Then on the custom crush issue, I -- this was about not having up in the Ag watershed, not necessarily that it wasn't appropriate somewhere in the Ag Preserve on the valley floor. Then the rest are really site specific. I agree with Supervisor Pedroza, but I will say on hold and haul, I feel that a property that can't support or fit a proper waste water system might mean that that property shouldn't be developed commercially. So I feel that's one we should take on too at some point.

The rest are very site specific but I'm horribly unclear on how we would move those others forward because there's a lot we've heard today from a lot of people that, you know.

MR. MORRISON: On these grape requirements, if that's the direction the Board chooses to go, I
think that the Board just needs to set the direction.  You don't need to hammer out the detail. I think the
details of how that direction gets manifested or gets implemented, I think is an appropriate discussion for
staff to have with the industry and the community
about what makes sense. I don't think -- the Board
isn't prepared to land on a specific percentage or
requirement. Staff isn't prepared to give that
recommendation right now. I think we would need to
learn more about it.

SUPERVISOR GREGORY: Well, I agree but one
solution offered us today was that you would write an
administrative memo right away and get that out to the
world. We're not anywhere near doing that.

MR. MORRISON: No, I agree and that memo was
more or less to -- and I echo Supervisor Dillon's
concerns about pre-determination.

The memo -- there was a concern at the last
board meeting two weeks ago about how long an
ordinance might take and how projects that are
currently in the pipeline might continue to move
through the Planning Commission, either get approved
and wind up being appealed before the Board, while the
ordinance is being developed. The memo is more of a
generic I guess set of common sense expectations in terms of trying to lay those out to give the Planning Commission some additional direction while the ordinance is being prepared.

   Certainly, one option would be if -- would be to recognize the need to base decisions only on adopted code and ordinance and to not prepare any memo at all and to let the projects that are in line right now go ahead and be considered under the rules that are currently in place.

   Another option might be that by narrowing down the scope of the direction today, that might help speed the time in which an ordinance could be brought back to the Board. Certainly one that only looks at two or three things is a little bit easier bite to chew than one that looks at several things.

   So the intent of the memo is not to lay everything out in detail but more to kind of express the overall intent of the Board to serve as a placeholder until such time as an ordinance to give direction to the Planning Commission, again direction but if that's something that the Board is not interested in, it's not a requirement. It's not going to get working directly with the community and the
industry on a draft ordinance.

MR. TRAN: Chair, if I my chime in real quick. Just to amplify what Mr. Morrison just said mainly that today this meeting here is the second time that staff is coming back with this item.

Basically, today's purpose is to confirm the Board's directions in terms of moving forward. Staff is looking for confirmation for direction from the Board in order to basically take it -- and procedurally speaking, staff does not want to spend time and resources on anything that the Board does not support.

So basing on the Board's direction, I think Mr. Morrison is looking for confirmation so he can communicate back in terms of starting the process because as you well know, any type of land use ordinance that has to start at the Planning Commission and before staff work on the ordinance, bring it to the Planning Commission, we want to get the Board's general direction first.

Then in terms of the opportunity to be heard on this, to vet on this with the industry, with the community, with the public meeting, those will be had once the general direction is given. If the concern
is in regard to the -- when I think Michelle Beniviti
mentioned it and it's very absolutely correct,
basically the applicant and the public have the right
to rely upon what is currently existing in the book,
in the law. Until that is adopted by the Board, that
typically cannot be imposed.

However, in terms of for those who are
interested or thinking about this, if the Board gives
this direction and I think the purpose for the memo
and please do correct me if I'm wrong, David, is that
if the intention is to communicate properly as to,
hey, this is the general direction of the Board, we
will be taking it on, we will be drafting the
ordinance. We will have public meetings. We will
have stakeholder meetings. That I think is the
purpose of the meeting.

But in terms of the effectiveness of what is
the County's code or the County's ordinance that would
indeed have to be stated in the text of the ordinance
itself. Typically speaking after the ordinance passed
through the Planning Commission and forwarded to the
Board, the Board would need to do it readings and then
if the ordinance would take effect 30 days after that,
after the second reading, however, if there's an
urgency, then obviously, we can do it as an urgency
ordinance taking effect immediately as well.

So I for today's purpose, I think if the
majority of the Board is willing to certainly give
direction to staff and staff can take that and go from
there.

THE CHAIR: I'm not seeing that we're exactly
there yet but Supervisor Ramos?

SUPERVISOR RAMOS: Thank you, Chair.

I'm going to start a little bit backwards.
Because it's interesting we had this discussion. I
reviewed the notes you sent out, the summaries, how
you got to this memo. I get it, but I think one of
the things that we're doing here is we're trying to
push a square peg into a round hole. I say that
because -- inaudible a lot of available tools in our
toolbox and I don't think we pulled them all out and
perhaps we should. So for that reason, I think
another iteration of this synopsis would be helpful as
-- before it does go out for further vetting that
incorporates what those options are and I'll go
through the a few of them.

So one, when it comes to traffic, we all know
that's a subject near and dear to my heart. You know
and I heard a couple of questions how do we do that,
trip counters, trip counters that we use them -- we
used them back in my prior life in American Canyon and
the way in which trip counters can be utilized is
through a Traffic Impact Feed Program and making it
conditioned on the Use Permit as part of the Traffic
Impact Fee Program. You pay an impact fee based on
your projected traffic trips. You exceed your traffic
trips, you have a true up on a three-year average.
That's how it was implemented in American Canyon.
There is no gray. It's black or white. You get a
check in, a year in so you can see do you need to make
adjustments to your business model to stay true to the
representations you made in your application.

So for me, yes, I think that traffic needs to
be definitely a component that we look at in terms of
how are we living within our means here, are we
creating a future that we can live with but perhaps it
doesn't need to live within this projected ordinance.
Perhaps it can be -- it can live within the Traffic
Fee Impact Program and through the Use Permit process,
that might be a better method of being site specific
being able to be amenable to be workable.

When it comes to custom crush, I certainly do
appreciate the benefit of Supervisor Dillon sharing with us the 2005 incident. We're using big terms today things and incidents. So I'll say incident and the director's memo of how to change that. I think that one of the things we need to look at is expanding but I believe one person said what does the estate component mean and how important is it. I said this in my last comments, it's a chicken or an egg. Do the vineyards need to come first and then you get the winery or are we saying we're saying yes to the wineries so now we have to say yes, to the vineyard.

We've got to be very careful in that balance of how far we're willing to go to create that environment of an estate component. I think one of the key stakeholder's, in my personal opinion, that would be really important here would be the AVA's themselves because when I think about estate component, I don't think about it necessarily in the Napa -- in the Napa way. We already have our 75 percent rule. When I'm thinking about estate component and when we really look at what areas of the valley are being affected by our thoughts here because it's nothing more than mere thoughts here at this moment. I think about those AVA's whether it's Soda
Canyon and Mount Veeder, Kuntzville and we look at those types of apalachians themselves, I think that would be a really good way for us to focus in on what does this mean for us.

Personally, I'm on the same page as the engineer and that should give me great value in what I'm about to say because I think hold and haul is a real issue. If we're depending on a system of waste water that requires us to load up water into trucks that may or may not -- when I get to Number 7, may or may not meet the sufficient roadway standards, loading up waste water into a truck and taking it all the way to East Bay Mud, I do not believe that meets our objectives of sustainability, that can't be the solution for us saying we're going to rely on another municipality to take our waste water, it's got to be a balanced approach. So whether that means -- I've said this before. I've been saying this since 2012, whether that means we have to take an earnest look with Napa Sand and say what are we doing to provide for our future. I think hold and haul is a very important component here, but I think it also requires us talking to other entities such as Napa Sanitation.

Topography, I agree it's very site specific.
I think topography, at least in my comments that I made and I was certainly making them in terms of roadway standards and access. So I don't see topography as it's own category personally at least from any of our comments. Correct me anyone if I'm wrong, but I think we were looking at it more from a slope issue, from a setback issue and from a roadway access issue. When it comes to fire safety, certainly those same issues apply for me. It's that topography so I would loop that into that bucket.

Visitation, how many times are you flushing the toilet and how many trips do you have per day.

UNIDENTIFIED SPEAKER: That's a personal question.

SUPERVISOR RAMOS: It's a personal question we need to ask.

But I think that that's where that gets embodied not necessarily as it's own issue to put necessarily a -- pick a number out of thin air. I think it's got to be evidence based. What is that site capable of handling that is consistent with the community.

Then I'll get to variances and exceptions.

What's the word I'm looking for successes -- success
of projects. I think when we look at variances, we
need to look at -- the word that you use "strict," I
think what we need to do is being looking at variances
as do we actually need the variance. We shouldn't be
accepting the variance just because it's the cheaper
way of doing something because it's more expensive to
accommodate the way it should be done within the rules
that have been set. To bend that is exactly what we
do with the variance, to bend the rules, to make it
fit erodes the standards that this board sets forth.

So perhaps what needs to happen is a policy
from the board to the Planning Commission of what our
tolerance is for variances, what we would like to see,
how much is too much. I'm not saying how much in
terms of a number, I'm saying in the depth of the
variance. To what extent are you asking for an
exception.

The next one is the successiveness of the
projects where I think -- this is a hard one and this
is where I think Supervisor Dillon's recommendation or
more demand I think it was that we meet with the
Planning Commission, I'll go ahead and call it a
demand. I second that and I'll say that we're looking
at projects in isolation as opposed to the totality of
the circumstances. I don't mean that from a cumulative impact standpoint. I mean that from a community impact standpoint.

When we look at what's the horizon look like when you're standing at one parcel and what do each of those successive modifications do to the integrity of the application when originally granted and to what has happened in the community around where that major modification is happening. When you -- to look at things and just say oh, 20-acre parcels is the solution, I actually don't think it is. I don't think the 20-acre parcel is a solution because if you take triangular parcels that are all narrower towards the roadway, you do your 200-foot setback, you have a completely different picture versus a 20-acre parcel that is square in size or long rectangular on the front.

So we've got to look at what is that successiveness in projects to be able to understand what is the total -- what is the total shift that we're making in these policies. I'm not comfortable -- I'll conclude with saying I'm not comfortable with sending this out into the world because I think that there is a lot that has been said today alone.
I think one of the ways in which procedurally we've expressed a lot of concern and I understand the director's inclusion of the option of the memo was certainly to come and say that I had made at our last meeting they're available options. One, it can be a meeting as soon as possible with the Planning Commission, it can be a memo from this board to the Planning Commission, it can also be where the Planning Commission certifies questions to this board.

I have been on this board for nearly two years. We've never had a Planning Commission question get certified up to the board where the Planning Commission says, what you would like us to do with this one we're a little uncertain? That's always an option for the Planning Commission to be able to take a pause and say agendize it for the board and for the board to give direction on something, if that's where we're at. I don't believe that we're at a point of complete vagueness that that would be required but if that is the feeling that we haven't given sufficient direction, we should utilize all the procedural tools available to us which includes a joint meeting.

THE CHAIR: Thank you.
Supervisor Dillon?

SUPERVISOR DILLON: I appreciate Supervisor Ramos bringing up the trip counter enforcement. I mean, it's an enforcement mechanism, but I think -- I don't know what this is going to be, an ordinance, a modification, what process this takes maybe changes to the conditions of approval would be what you bring -- what you would bring back to us might be a step forward at least. I mean, I don't think preparing a map showing the width of county roads for public use is an ordinance item. So -- but changing the conditions of approval to talk about the number of vehicles and talking about how that's enforced and incorporating the trip counter aspect of it and limitation on parking aspect of it or whatever other suggestions there are.

I still -- I mean, that's something -- it would also meld with -- it's something that would also meld with our climate action policy. It's about vehicle miles traveled and so forth. I mean, I have no doubt that we're all ready to go there in some fashion.

I still have a question about the custom crush. You gave the example of Santa Barbara says you
get X gallons per Y acres of vineyard, how does that prohibit custom crush? If I decide not to use the grapes from my vineyard or I sell my vineyard grapes -- or I'm sorry, that's a redundant term. I sell my grapes to that other winery and I decide I'm going to do a lot of custom crushing this year. I don't get how the Santa Barbara example prohibits the custom crushing.

MR. MORRISON: No. I think that's a great point, it sets the stage to allow for an estate component to be used in the wine but you're right, it does not mandate that.

SUPERVISOR DILLON: Okay. So I think we're sort of back to can we say no custom crush, that was the question I heard and what we heard in 2005 was we couldn't say that. So I still feel like that hasn't been conclusively decided or given to us.

Counsel, can we say no, you can't do custom crush? Can we say no you can't do custom crush because it means more vehicles? I mean, we've never done that before. I'm not saying we shouldn't do it because we've never done it before. I'm just basically is it legal for us to do it?

MR. BRAKUS: I don't know what was allegedly
said in 2005 and I'm not sure I hear three votes yet
to regulate that. If so, we'll come back to something
I think there are options in that regard.

SUPERVISOR DILLON: Okay. I just wanted to
make sure that there wasn't any confusion about doing
this -- inaudible -- grape meant there was no custom
crush because that was the implication.

And just to follow up with Supervisor Ramos'
comments, I am concerned about the hold and haul but I
got the idea, from your comments, that there's
conversation that needs to be had with Napa Sanitation
District so I'm not sure what direction you're
suggesting there specifically.

Then with regard to the minimum parcel size,
I'm going to go back to distance between structures.
That's a way of taking care of one aspect of that.

Thank you.

THE CHAIR: One of the things that I've heard
and I've now got it at least three nods for a joint
meeting. We were trying to look at dates. This is
just one that I looked at my calendar. We don't have
a meeting set for the 30th or the 31st, that would be
a Planning Commission day. We possibly could do a
joint meeting on one of those days, you know, just
schedule it for an hour or two hours.

UNIDENTIFIED SPEAKER: Don't we have a meeting on the 30th?

THE CHAIR: The 30th, okay. Not on the 31st. Most of us don't have -- it's like the 5th Wednesday so most of us don't have -- it is the 5th Wednesday. Most of us don't have recurring meetings that happen on that day so that might be an easier one to come up with.

This discussion was far beyond what I was anticipating. I still -- and maybe I just when we talked about it, I was talking about it as a -- and I'll go back to what we talked about is a remote winery. I was concerned about the remoteness. In the work product we have today, there's no mention of the remoteness of the -- what a remote site would be, it would be a lot of -- I think it could be a lot of things, the remoteness of the road, the narrowness of the road, the accessibility of the parcel, how far the parcel was from arterials. You know kind of -- most of the things that you have in here would help address a remote winery very nicely.

I guess I'm kind of the in the mindset in my mind, that I'm not seeing a real need for more
wineries in the far inter lands of Napa County. I'm seeing that we have plenty of them out there. So I liked having these things to look at remote wineries. So to me, the remote winery was my access point to this discussion. You know, there would need to be a traffic benefit from the winery coming in, the traffic for the overall neighborhood coming in. There would need to be a safe -- fire safety and a safety benefit for that winery coming in, emergency benefit.

The water, you know, and we kind of talked about this in water -- that the water was, you know, sometimes they're going to move the winery. So they say okay. We'll put in the grapes now that we have a winery. The grapes should be the reason for -- that should be the reason that you're having the winery up there, not the other way around.

So you know, I thought a lot of these questions they helped me answer the remote winery question. I've appreciated the discussion that we've had more broadly, but I don't want to lose that I'm very concerned with wineries that are going out in the middle of nowhere that are -- and I don't -- yeah. I'm not seeing a huge reason for them. Maybe that's -- maybe in that discussion with the Planning
Commission, I'll see that but I don't see it right at the moment. So that was my access point to this discussion.

MR. MORRISON: At the prior board meeting, there was some discussion about that and the question -- phrase that's used is remote wineries. Remote from what? What are you being remote from? I think that using a definition of proximity to an arterial would be a very functional definition, if that's something that the board would like to go through.

THE CHAIR: Well, it's a number of things but proximity to an arterial would be one of them. Other access in and out, the narrowness of the roads. All those would be parts of that.

MR. MORRISON: If that's something that other board members would agree to, I think we could work at coming up with that definition.

I think that if some of the language in here is a bit broad it's because as a planner, we know that there's a multitude of situations, that it's very hard to write language that is applicable in every single situation. I know the board is already aware, but I think some of these same questions can be applied in retrospect to -- inaudible -- hill which was hardly
remote, it's at the edge of Yontville but is on a
hill, had very steep driveway slopes, only had one or
two acres for 100,000 gallons of proposed production.
A lot of the issues we're talking about apply there as
well.

THE CHAIR: Might be able to turn that down
other basis so --

MR. MORRISON: And, of course, there's some
talk about custom crush on the valley floor. We do
have AP land out in Wooden Valley so which by some
standards could be considered remote. So for me, I'm
trying to think about how this could be played out in
variety of situations in trying to protect the County
the best we can from how this could be used or
stretched.

So what I've heard this afternoon is -- and
please correct me if I'm wrong, because it's -- I'm
trying to understand the nuisances of five very
thoughtful people. I've heard general interest in
custom crush although I'm not quite sure what that
means or how we get there but at least worth exploring
whether something can be written to that extent.

I've heard at least three talk about hold and
haul and again, that might require staff going out and
talking to Napa Sand or talking to Regional Water Quality Control Board because of our pending local agency management plan. I've heard general interest in traffic. Whether that gets carried out through conditions of approval or an ordinance or the circulation which would be coming to you for consideration in January. A lot of these concepts that the board has talked are in the circulation element. The question is January is three or four months away and what can we do before that.

So that's the points of commonality I've heard and that is direction that staff can at least start exploring those options in terms of what can be done. The board -- many of you have said what can we do, we don't know. That's right, that's what staff can go out and start figuring out working with County Council, working with industry and community partners and figure out what can be done in bringing back those recommendations.

As Mr. Tran said, it's not an efficient use of limited staff resources to track down everything. So staff needs to know where we can best marshal our resources to track down those issues which there is general board consensus and direction on.
THE CHAIR:  Supervisor Gregory?

SUPERVISOR GREGORY:  You know, this started
as a simple -- well, no, let me start over.  This
started as looking at a very discreet thing that
resulted in a really good conversation.  The second
part today which has been great but I imagine we got a
lot of similar comments through our stakeholder
meetings or our strategic plan meetings things related
to the D W O about winery growth.

I have a long list today from one of our more
active citizens of things they would like us to do D W
O and winery growth.  We've added a layer here
ourselves.  It may be that this is just stuff that
adds to the list of comments that -- we already had
the tough task over the next couple of months of
congealing into some kind of plan to attack it, right?
I was thinking we might be able to get something done
related to the estate grape requirement, but I'm not
sure we're getting that done today.

So maybe this is a statement and not a
question for you, doesn't this just put in the hopper
at this point.  Somebody had the hard challenge of
putting everything else related to this subject into a
plan of attack, is that the best way to move this
forward now given that we're --

MR. MORRISON: I would also ask Mr. Tran to weigh in given his involvement with strategic plan. The strategic plan in December is going to be laying out broad priorities for the board for the next three years and then as has been stated, that's not going to be an implementation plan, implementation will follow. Again, we have to make sure that we understand where the board is agreement on what needs to be done over those next three years. That will happen in December, implementation will follow that.

The question really to the board is how urgent is that issue. I can't answer that question. If you tell me which hill to take, I can go take that hill, but I can't tell you which hills to take. That's something -- with the board's great exposure to the public, with your status as elected representatives, with the prospective that you have overseeing all 1400 employees as opposed to me being a single department head, if the board feels that this is an issue of some timeliness, then I work with my staff to start investigating these questions now. If the board feels that this is not as urgent and can be included within the strategic plan, I'm happy to work
with Mr. Tran on that.

SUPERVISOR GREGORY: But you've heard concerns and questions from us that we feel are timely. That's why we're talking about it and I'll bet there's a sense of urgency all the comments we received from the public during the strategic plan session related to winery growth. It's probably the hottest topic. So I have to imagine there's some action step in there that's the most important one that is we will do this. How will we possibly get through all these comments we got which we just added to. I'm not asking that as a question but isn't that what the strategic plan is going to do?

I'm just trying to find a way to move forward and not just drop this and you know, let it get pushed aside.

MR. TRAN: Right. And as I mentioned earlier, that strategic planning is a very important process, and we will certainly -- whatever comes out of it, we will certainly supplement any and be carried out separately. However, as far as the County's daily operation goes including all these things that are pending, that's already in the hopper.

For example, this issue about compatibility
of winery has been ongoing for several months, and the
Board has this again as a second board meeting. And
this is a very good discussion in terms of great
detail, in terms of knowing where you are -- at least
from staff's perspective, we hear where the board
wants to go.

As far as my take away from today is that
number one, that there's a desire by the board to have
a joint Planning Commission meeting, that will be had.
In fact, I'm going to propose and I don't know what
the Planning Commission's availability are but
October 30th seems to be a very, very good day mainly
because presently, tentatively we have -- on the
tentative agenda, we have items including the Carnaros
agreement. We have the -- inaudible -- protection
plan workshop. We have the co-compliance update. So
those are very much land use intensive and very
appropriate for the joint meeting so that is timely.

Now, as far as whether or not the board wants
to wait, certainly the board can wait, but I know that
based on community input through the strategic
planning, based on the board's discussion and prior
directions, this is not the first time we have heard
about this basing on the appeal hearings of the prior
winery projects. We have heard about this based on the Planning Commission decision on the prior projects as well.

So in terms of timeliness, I think that if the board is willing, staff can certainly bring this forward and when I say forward, what I mean is that start the process because it typically would take about six months for this item to go back because absolutely, we have to do Sequea. We have to do public hearing. We have to do stakeholder's vetting through reaching auto. So it will be six months before this item comes back.

Now, if there's another sense level timeliness urgency, then the board can certainly look at it as an urgency ordinance, as I mentioned earlier. So for me, I don't know if David is prepared to summarize. I know you tried that a little bit earlier and again, this is the second time confirmation -- today we're coming back for confirmation of what the board gave direction the last time. I know that there's a lot of nuances here that needed to be thoughtfully vetted so that way when staff goes out, that we are not taking on and making policy at that level. We want to get direction from the board.
THE CHAIR: Supervisor Pedroza?

SUPERVISOR PEDROZA: I like the joint meeting with the Planning Commission. I think that's a good idea.

On the custom crush, Supervisor Dillon raised the question of if it's legally possible. I'd like to get an answer on that and have a discussion around it. If the Board thinks differently, then it's done, but I think we've been discussing around -- so I would like to provide direction one way or another whether we want to continue forward on that.

THE CHAIR: We've got a couple.

Supervisor Dillon?

SUPERVISOR DILLON: Yeah, I'd like to -- I agree with Supervisor Pedroza. I would like to have staff come back to us on the hold and haul with what we said. Did you already say that? I'm sorry, I'm really tired. The hold and haul, we need to find out what are our options. It is -- it fits -- I mean, what are the things people complain about, traffic and housing. Hold and haul is a traffic issue. It's more trucks on the road. So that's why I'm interested in finding out can we eliminate trucks going to East Bay Mud and maybe take them to Napa Sand. If we can't,
then we're down to two options it seems. I mean, it narrows it down. So we need to know what our options are.

I would like to see staff come back to us with a proposal about how we look at number of vehicles. Putting it in the circulation element is not what I'm interested in both because of the timeline and because the circulation element is an element, it doesn't have the specificity we need. So either in an ordinance or a modification for the conditions of approval and what the enforcement mechanism will be. So that's where I am.

THE CHAIR: And those pretty well reflect what you gave us on your recitation.

SUPERVISOR DILLON: Mr. Chair, it does but I felt like Mr. Martin was asking again. I just want to underscore I hope that if for some reason our Planning Commission members are not paid the vast sums that we are to do their job. So I'm a little reluctant to say, "Hey, come from the day, we're going to discuss all these land use issues."

I think we would need to -- I would suggest to staff that when the joint meeting part of it happens if they're available, it has to be a time set
matter. I just -- if it can't happen then, we have a Planning Commission with one person -- the longest-serving person is now Ms. Catrell almost going on four years. So it underscores for me that why that is so important.

MR. MORRISON: I think staff has enough direction to move forward at this point. If I had a white flag, I would waive it.

THE CHAIR: Supervisor Gregory, we're going to make sure.

SUPERVISOR GREGORY: One more try.

What I'm saying is now that we have the data, we received a lot of feedback from our community on land use matters, probably a lot related to winery growth, we might as well have that in front of us as well and start to marry these two conversations. That's all I'm saying. So if that's a data set that can be pulled out and be ready and in front of us when we meet together, why not. If we don't, we're getting detached and ahead of what we're getting from the community, trying to get from the community.

MR. MORRISON: You mean having winery data pulled out for the joint meeting with the Planning Commission that broader discussion?
SUPERVISOR GREGORY: Land use comments made by the public throughout the strategic planning process.

MR. TRAN: I hear and support that. The question would be what topic because it's a spectrum of issues and it goes from general plan amendment to something more, a lot more nuances. So the difficult piece is that if staff is going to come forward, what topics or issues about land use. If the board trusts me to pick easy, low-hanging fruit, I'm happy to do that but with the understanding that this is not comprehensive nor complete nor is it the priority in terms of conscious decision by staff in bringing forth.

So I just want to put that out there as a caveat because as you know, we have 37 meetings now on these public inputs and there's a spectrum of issues.

SUPERVISOR GREGORY: I trust staff's ability to whittle that out for us.

MR. TRAN: Alright, that we can do.

SUPERVISOR DILLON: Mr. Chair, I echo Mr. Gregory's concern. I trust you have to do it but I think one lens might be things that are applicable to decisions that the Planning Commission is making if
that's the discussion and not everything in the land use realm is in their purview.

MR. TRAN: Absolutely. I don't know if we may want to plan for a four-hour or six-hour or eight-hour meeting because depending on the number of topics. Today we just covered one topic and look how long it took and only one body.

Thank you.

THE CHAIR: Okay. Let me turn to the Board. We've been at this now almost two hours.

(A recess was taken.)
I, GAIL R. WILLSEY, do hereby certify:

That I was provided a recording and that said recording was transcribed by me, a Certified Shorthand Reporter, in the matter entitled herein;

That said transcript which appears hereinbefore was taken in stenotype notes by me from the recording and thereafter transcribed into typewriting as herein appears to the best of my knowledge, skill and ability and is a true record thereof.

GAIL R. WILLSEY, CSR #359
EXHIBIT “3”
Request for Meeting Regarding Mountain Peak Winery

Anthony Arger <aargerlaw@gmail.com>  Thu, Apr 6, 2017 at 11:21 AM
To: "Cortez, Nelson" <Nelson.Cortez@countyofnapa.org>, "Dillon, Diane" <diane.dillon@countyofnapa.org>
Cc: Bill Hocker <bill@wmhocker.org>

Dear Supervisor Dillon,
Thank you very much for your willingness to meet with us. Yes, 10am on Saturday, April 15, 2017 works for us.

Mr. Nelson,
As to location, we think it would be best/easiest to meet Supervisor Dillon at the junction of the paved road and the gravel/dirt road on Soda Canyon, which is also at the entrance to the Mountain Peak property (3265 Soda Canyon Road). Supervisor Dillon can initially park close to the fence near the sign that reads "Odyssey Vineyards," which is my family's vineyard (3030 Soda Canyon Road). We can then start the site-visit from there, which will include a tour of Mr. Hocker's property (3460 Soda Canyon), and my family's vineyard.

Thank you in advance for your time and we look forward to meeting on April 15.

Sincere regards,
Anthony

On Thu, Apr 6, 2017 at 10:16 AM, Cortez, Nelson <Nelson.Cortez@countyofnapa.org> wrote:

Hi Mr. Arger,

If Saturday, April 15, 10am works for you, please confirm and provide the address where you would like Diane to meet you.

Thanks,

Nelson

From: Dillon, Diane
Sent: Wednesday, April 05, 2017 3:49 PM
To: Anthony Arger
Cc: Cortez, Nelson; Bill Hocker
Subject: RE: Request for Meeting Regarding Mountain Peak Winery
First, you are welcome.

Second, I usually defer to Nelson ... but because this is weekend request, I'll jump in. Sat Apr 15 in the morning (10 a.m. Or so) would be best for me.

Thanks,

Diane

Sent with BlackBerry Work (www.blackberry.com)

From: Anthony Arger <aargerlaw@gmail.com>
Date: Wednesday, Apr 05, 2017, 3:23 PM
To: Dillon, Diane <Diane.DILLON@countyofnapa.org>
Cc: Cortez, Nelson <Nelson.Cortez@countyofnapa.org>, Bill Hocker <bill@wmhocker.org>
Subject: Re: Request for Meeting Regarding Mountain Peak Winery

Dear Supervisor Dillon,

I hope this email finds you doing very well. I am reaching out to first say thank you for taking the time to meet with my family and Mr. Hocker (cc'd) back in January; we very much appreciate your time and consideration to listen to our concerns regarding the Mountain Peak Project.

Second, I/we would like to take you up on your offer to "continue" the meeting and schedule a site visit to walk both my family's and Mr. Hocker's property, both of which border the Mountain Peak parcel. If you are amenable, would you be available on a weekend in April or perhaps even early May? It is quite difficult for both my Dad and me to get away from work during the week, so a weekend day would be much preferred (that being said, we can be available next Friday, April 14, 2017). Below are a few dates, please advise if any will work for you.

Friday, April 14 (after 11am)
Saturday, April 15
Saturday or Sunday April 22-23
Saturday or Sunday April 29-30
Saturday or Sunday May 6-7

Thank you in advance for your consideration and we look forward to your (or Mr. Nelson's) response.

Sincere regards,

Anthony

On Tue, Jan 17, 2017 at 8:28 AM, Anthony Arger <aargerlaw@gmail.com> wrote:

Dear Supervisor Dillon,

Thank you for the very prompt response. We are looking forward to meeting with you.

Mr. Cortez,

I am in a meeting from 9am to approximately 10am, but should be free by 10:30am on the 27th if that works with Supervisor Dillon's schedule.

Sincere regards,

Anthony

On Mon, Jan 16, 2017 at 5:39 PM, Dillon, Diane <Diane.DILLON@countyofnapa.org> wrote:

Mr. Arger -

Thanks for writing to me. Jan 27 in morning looks good - but Nelson Cortez (CC'd herein) will respond to you with a meeting date and time to confirm.

Diane Dillon
(707)963-0890
diane.dillon@countyofnapa.org

Sent with Good Work on iPhone (www.blackberry.com)

From: Anthony Arger <aargerlaw@gmail.com>
Date: Monday, Jan 16, 2017, 3:19 PM
To: Dillon, Diane <Diane.DILLON@countyofnapa.org>
Subject: Request for Meeting Regarding Mountain Peak Winery

Dear Supervisor Dillon,
My family's vineyard property is adjacent to the Mountain Peak Winery project and we respectfully request to schedule a meeting with you discuss this project and its impacts not only on our property, but on the Soda Canyon community as a whole.

As I am sure you are aware, Mountain Peak was approved in its requested form (e.g. without any reduction in size or visitation) by a 3-1 vote on Wednesday, January 4, 2017 by the Planning Commission. Members of the Soda Canyon community will be filing an appeal, which we understand will likely take place sometime this spring.

In the meantime, my family would like the opportunity to discuss this project directly with you. We have been part of the Napa Valley wine industry since the 1970s and as long-time members of the industry, we would very much appreciate your time to discuss the far reaching impacts of this project.

Are you available for a meeting on Friday, January 27, 2017? Perhaps in the morning?

Thank you in advance for your time and we look forward to your response.

Sincere regards,
Anthony

--
Anthony G. Arger, Esq.

Email: aargerlaw@gmail.com

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--
Anthony G. Arger, Esq.

Email: aargerlaw@gmail.com
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EXHIBIT “4”

EXHIBIT “4”

EXHIBIT “4”
The Camp Fire, California’s deadliest and most destructive wildfire, has left communities around the state reevaluating everything from their evacuation routes to communications systems.

James Gore, a supervisor in Sonoma County, which was ravaged by multiple fires in October 2017, said 13 communities in high-risk areas have put together maps, and residents are now practicing new escape routes more regularly.

“Everybody is playing catch-up. Everybody is trying to address the new normal,” said Mr. Gore, who is leading the statewide county association’s effort to help others better prepare.

Seven of California’s 20 most destructive wildfires and five of its deadliest have occurred in just the last 13 months. The Tubbs Fire that hit Sonoma and Napa Counties last year killed 22 people; it was considered the state’s most destructive before the Camp Fire ignited. The latter has killed at least 88 people and burned roughly 18,800 structures.
Cal-Fire, the state fire-protection agency, has classified more than 180 locales in 31 counties—from Siskiyou on the state's northern border to San Diego to the south—as being in the most hazardous fire zones. Paradise is on the list, as are communities like Berkeley, Oakland, Los Angeles, Malibu, Monterey, Santa Rosa and Thousand Oaks.

“There is a whole new focus,” said Graham Knaus, the executive director of the California State Association of Counties. “When you have wildfires moving 80 football fields per minute…it causes a full revaluation on how best to move forward.”

Rebecca August, a public lands advocate with Los Padres ForestWatch, a nonprofit, attended a hearing on California's emergency-warning system earlier this week. She said attendees talked about building fire-safe shelters in area that might be hard to evacuate.

“I hadn’t heard people talking about that before,” she said.

Citizen groups are also taking action. Priscilla Abercrombie, who lives on Fitch Mountain outside of Healdsburg, in Sonoma, is part of a group that has put together a phone tree residents can use to help evacuate if a fire or other natural disaster strikes. Healdsburg firefighters debriefed her group this week about the recent fires.

“People are really motivated,” she said. “The take-home message is to know who your neighbor is and ways to get off the mountain, and have a plan, and have your stuff ready.”

Perhaps the most frightening aspect of the Camp Fire that destroyed Paradise, a former Gold Rush town of 26,000, was how quickly it moved. The fire was first noticed before 7:00 a.m on Nov. 8, and an hour later the entire town was under an evacuation order. Two hours after sundown, the community was all but wiped out.

“We had planned for a wildfire, what we got was a hydrogen bomb,” said Jim Broshears, Paradise's emergency-operations center coordinator.


11/30/2018
After a particularly bad fire season in 2008 in the area, a grand jury report laid out critical shortcomings in preparedness. The report concluded that additional evacuation routes were necessary after thick smoke forced three main roads out of Paradise to close, and left a fourth choked with a single lane of traffic.

One new paved evacuation road has been built since then, a northbound route that took 10 years to complete. Kim K. Yamaguchi, who lobbied for the project when he was on the Butte County Board of Supervisors, said he has received thank-you messages from people who used it to escape the Camp Fire. “Touched my heart,” he said.

Officials say a plan put in place after 2008 to evacuate Paradise in phases to better control traffic flows didn’t work well because embers sparked hundreds of spot fires across the town, forcing evacuation orders to be issued in rapid succession.

Officials say it would take much more than a few million dollars to finance the road projects rural communities like Paradise need to evacuate thousands of people quickly.

Phil John is chairman of the Paradise Ridge Fire Safe Council, which has tried for years to advise residents how to create defensible space around their homes and what to take with them when they evacuate.

After the deadly and fast-moving Tubbs Fire decimated large parts of Santa Rosa last year, Mr. John said, he reworked his group’s safety presentations to put even more emphasis on how to evacuate quickly.

“My guts are tore up because I gave my whole life to teach people what to do, and it just didn’t work,” he said. “There’s people that are dead right now because we didn’t get to them, and I have to live with that.”

Write to Erin Ailworth at Erin.Ailworth@wsj.com and Alejandro Lazo at alejandro.lazo@wsj.com
I hereby declare that I am employed in the City San Francisco, County of San Francisco, California. I am over the age of eighteen years and not a party to this action. My business address is 555 Sutter Street, Suite 405, San Francisco, CA 94102. I am familiar with this firm’s practice for the collection and processing of mail sent via U.S. Mail, which provides that mail be deposited with the U.S. Postal Service on the same day in the ordinary court of business.

On December 14, 2018 I served the attached DECLARATION OF ANTHONY G. ARGER IN SUPPORT OF PETITIONER’S REPLY IN SUPPORT OF ITS MOTION TO AUGMENT THE ADMINISTRATIVE RECORD in this action:

[ ] BY FIRST CLASS MAIL: I am familiar with my employer’s practice for the collection and processing of correspondence for mailing with the U.S. Postal Service. In the ordinary course of business, correspondence would be deposited with the U.S. Postal Service on the day on which it is collected. On the date written above, following ordinary business practices, I placed for collection and mailing at my place of employment a copy of the attached document(s) in a sealed envelope, with postage fully prepaid, addressed as shown.

[x] BY ELECTRONIC MAIL: On the date written above, I caused a copy of the attached document(s) to be transmitted via electronic mail to the electronic mail address maintained by the person on whom it is served at the electronic mail address shown, before 5:00 p.m. That transmission was reported as complete without error by my electronic mail software. The parties served have agreed to accept service electronically.

Laura Anderson, Deputy County Counsel
Jason M. Dooley, Deputy County Counsel
Napa County Office of County Counsel
1195 Third Street, Suite 301
Napa, CA 94559
Laura.Anderson@countyofnapa.org

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at San Francisco, California on December 14, 2018.

[Signature]

Susan Anthony